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Security Council

Fifty-ninth year

Provisional

4928th meeting

Thursday, 18 March 2004, 4 p.m.

New York

President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	Germany	Mr. Fischer
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Gatilov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 17 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia and Montenegro to the United Nations addressed to the President of the Security Council (S/2004/220)

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04-27659 (E)

The meeting was called to order at 4.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 17 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia and Montenegro to the United Nations addressed to the President of the Security Council (S/2004/220)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Albania, Ireland, Japan, Jordan, Serbia and Montenegro and The former Yugoslav Republic of Macedonia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Security Council, I welcome His Excellency Mr. Goran Svilanovic, Minister for Foreign Affairs of Serbia and Montenegro, and invite him to take a seat at the Council table.

At the invitation of the President, Mr. Svilanovic (Serbia and Montenegro) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 17 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia and Montenegro to the United Nations addressed to the President of the Security Council, which is contained in document S/2004/220.

I should like to acknowledge the presence at the Council table of His Excellency Mr. Joschka Fischer, Vice-Chancellor and Minister for Foreign Affairs of Germany. On behalf of the Council, I extend a warm welcome to him.

I welcome the Secretary-General, His Excellency Mr. Kofi Annan, and I invite him to take the floor.

The Secretary-General: The Secretariat briefed the Council this morning on the deplorable events of the past two days in Kosovo. The overall security situation throughout Kosovo is still highly unstable. The number of fatal casualties now stands at 31. I cannot emphasize strongly enough my deep disappointment and sadness at this resurgence of violence, which has already left many people dead and hundreds wounded.

We cannot close our eyes to the fact that this violence is ethnically motivated, with communities attacking each other. Such violence must be strongly condemned. The deliberate targeting of houses as well as religious sites — such as churches, cemeteries and monasteries — is shameful and inexcusable, as are the subsequent attacks against mosques in other parts of Serbia and Montenegro.

We must also condemn, in the strongest possible terms, deliberate attacks on representatives of the international community — in particular the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the troops serving with KFOR. The situation in Mitrovica has become sufficiently serious to warrant the relocation of international staff from Mitrovica to a safer place in the region.

The recent events have highlighted the fragility of the structures and relationships in Kosovo. It shows that despite the progress that has been made since 1999, we have not come far enough. Mutual respect between different communities is still not the accepted norm that it should be. It is clear that we need to study very carefully the implications for Kosovo's future.

Our first priority must be to restore safety and security. I thank NATO for its decision to reinforce its troops in Kosovo.

The violence must cease. The leaders of Kosovo's communities and the representatives of its Provisional Institutions must work with the international community, with each other and with the people of Kosovo to restore calm. Allow me in particular to remind the leaders of the Kosovo Albanian community that as the largest ethnic group, they have the

responsibility to protect and promote the rights of all people within Kosovo, particularly its minorities.

I trust that the Security Council will give the situation the urgent and serious attention it requires.

The President (spoke in French): I thank the Secretary-General for his statement.

I now give the floor to His Excellency Mr. Goran Svilanovic, Minister for Foreign Affairs of Serbia and Montenegro.

Mr. Svilanovic (Serbia and Montenegro): I wish to express my appreciation to you, Mr. President — and, through you, to all other members of the Security Council — for responding so quickly to my Government's request urgently to convene this meeting. Indeed, yesterday's extremely grave developments in Kosovo and Metohija warrant immediate and resolute action by the Security Council.

The violence committed against the Serbian population in Kosovo and Metohija on 17 March is jeopardizing the United Nations Mission there. All efforts by the international community aimed at a peaceful resolution of the problems of this southern Serbia province are endangered. The Serbian population has suffered a purge whose objective was its ethnic cleansing from Kosovo and Metohija. KFOR and the United Nations Interim Administration Mission in Kosovo (UNMIK) have failed so far to stop that action.

It is particularly distressing that such an outbreak of violent attacks on such a wide scale by Kosovo Albanian extremists against the Serbian community in the province has happened almost five years after the establishment of an international presence there. Many people have been killed; many more have been wounded and injured. In the process, a number of Serb patrimonial sites have been set ablaze. On behalf of the Government of Serbia and Montenegro, I would like to express our deepest condolences and sympathy to the families of all the victims.

The attacks on the Serbian community in Kosovo and Metohija are sending more than one signal. To the Serbs, the signal is that there is no life for them in the province and that they should leave. To KFOR and UNMIK, the signal is that they have no real authority and power in their area of operation. To the Security Council, the signal — or rather the challenge — is that its resolution 1244 (1999) will not be implemented, especially with regard to the return of all refugees and internally displaced persons and the creation of a secure and safe environment for all communities in Kosovo and Metohija.

Another signal from the Provisional Institutions of Self-Government and Kosovo Albanian political leaders to the international community is that they cannot or do not want to go out in the streets to prevent that kind of mass violence from happening. They want authority, and a lot of authority was transferred to them. However, they ignore the responsibilities that come with authority.

The timing of the attacks is also indicative. In the near future the Security Council was supposed to finally receive the standards implementation plan. Instead, we all received the signal that I have just mentioned: Serbs should leave; after that it will be much easier to fulfil standards. Secondly, just after the Special Representative of the Secretary-General announced the date for the upcoming province-wide elections, the Serbian community was given notice that they should not think about participating in the elections, but instead should pack and go. Thirdly, is the situation now really conducive to continuing the long-awaited dialogue that just recently started?

The current crisis is extremely serious and may have far-reaching negative consequences. Nobody should take it as yet another incident in a long sequence of incidents over the past five years. On the contrary, everybody involved should approach the problem responsibly.

First and foremost, a resolution should be adopted condemning Kosovo Albanian extremism and terrorism. A political and security framework for further action by the civilian and military missions in these new and grave circumstances should be defined. International forces should be strengthened and should adopt a much more resolute stand. Extraordinary measures are needed to physically protect the Serbian population, which is already preparing to flee to central Serbia.

Authorities and security forces of Serbia and Montenegro are ready to provide any assistance and cooperation to the United Nations Mission in applying those measures. The situation in Kosovo and Metohija calls for urgent and complete security stabilization. The international presence must regain full control on the ground.

In that regard, it is of utmost importance that urgent measures be taken to secure the international border between Serbia and Montenegro and Albania and Macedonia in the area of Kosovo and Metohija. According to our information, that border is completely unguarded now and groups of armed terrorists are coming into Kosovo and Metohija with large quantities of arms and other military equipment. That could lead to further deterioration of the security situation in the province.

Most recent events clearly highlighted the fact that political extremism — in terms of both demands and methods — cannot lead to resolution of the problem. Additional efforts are required, as well as additional institutional guarantees. In that regard, decentralization is essential and could be a potential step towards stabilizing the situation of the Serbian community in Kosovo and Metohija. Serbia and Montenegro is ready to participate in the preparation and implementation of a dialogue on the most important matter of institutional guarantees and decentralization.

Albanian extremism and terrorism in Kosovo and Metohija has to be condemned. However, that is not enough. The Security Council should define the appropriate political and security instructions and guidelines for the civilian and military missions in the province in these new and difficult circumstances, since organized violence such as occurred yesterday is undoubtedly the single most serious threat to peace and security in the entire region.

As a matter of urgency and as a minimum, all planned reductions in the composition and resources of KFOR and UNMIK should be cancelled. Also, KFOR should re-establish protection for communities that were gradually deprived of that. Religious and cultural sites must be also protected full time.

It is obvious that statements and declarations of good intentions are not sufficient if the issue of Kosovo and Metohija is to be dealt with seriously. Such statements are understood and taken by the extremists, who actually control Kosovo and Metohija, as expressions of weakness, not as a sign of resolve on the part of international community, specifically UNMIK and KFOR. Therefore, concrete and urgent action is required to immediately put an end to the present wave of violence. Otherwise, the objective of creating a multi-ethnic and democratic Kosovo and Metohija will very soon be irreversibly damaged.

The President *(spoke in French)*: I thank the Minister for Foreign Affairs of Serbia and Montenegro for his statement. I now give the floor to the Vice-Chancellor and Minister for Foreign Affairs of Germany, Mr. Joschka Fischer.

Mr. Fischer (Germany): I would like to thank my colleague, Foreign Minister Svilanovic of Serbia and Montenegro, for his statement, and the Secretary-General for his comprehensive and informative briefing. I would like to associate myself with the statement to be made later by Ireland on behalf of the European Union.

We were shocked and dismayed as we learned of the events unfolding in Kosovo yesterday. We profoundly appreciate the great efforts made by the Special Representative to the Secretary-General for Kosovo, Mr. Holkeri, the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK), KFOR and the police to bring the situation under control in the face of the dangers confronting them. The violence has claimed many lives and caused injury to large numbers of people among the Kosovar communities as well as UNMIK, the international police and KFOR, and it must be condemned in the strongest words. Our hearts and our deeply felt sympathies are with the victims and their families. I would like to extend my condolences to them.

The international community as well as political leaders in Kosovo, both ethnic Albanian and ethnic Serb, have great responsibilities over the next few days. The most important immediate task is to restore and maintain order. KFOR troops and the police will have our full support as they take whatever steps are necessary to stop the violence. We were deeply disturbed by reports that KFOR troops were themselves the object of attack yesterday. Germany supports the decision made to bring in additional KFOR troops.

All leaders of Kosovo, especially those who have been elected, must show the utmost political courage in order to prevent the violence from undoing all the painstaking efforts made over the past several years toward building a tolerant and democratic Kosovo. The joint statement made yesterday by politicians together with the Special Representative of the Secretary-General was a useful first step. It rightly emphasized the need to support the police and KFOR and noted the

importance of responsible media behaviour. Political violence is fed by misinformation, and the press should not abet the plans of extremists by crediting unfounded rumours.

But political leaders in Kosovo must go further. Inter-ethnic violence is absolutely unacceptable and must be condemned. We expect those leaders not only to speak out against violence but also to actively promote inter-ethnic understanding. They must also explain to their constituents that no political grievance justifies taking the law into their own hands. Political leaders should visibly support all efforts by law enforcement authorities to apprehend and punish anybody who committed crimes or abetted violence and should explain clearly why those people are enemies not only of public order but also of the legitimate democratic aspirations of the people of Kosovo. There will be no impunity for the perpetrators. Now is the time for responsible Kosovo Albanian and Kosovo Serb leaders to appear together before the people of Kosovo and to defend democratic values against anarchy and mayhem.

Political leadership in Belgrade should also exercise its responsibilities. It is especially important at this time to prevent acts of retribution in Serbia. That would only lead to an escalation of violence and feed into the hands of extremists. We urge Belgrade to do all it can to prevent further attacks on religious sites such as took place yesterday in Belgrade and Nis. We also urge Belgrade to continue the direct dialogue with Pristina that was begun this month with the working groups on energy and missing persons.

Yesterday's events highlight the stark choice facing the people of Kosovo. Either they create a society based on tolerance, multi-ethnicity and democratic values, or they live in chaos and misery. It is too early to say how the violence has set back the process of implementing democratic standards. But once calm has been restored, the only responsible course is to proceed as quickly as possible with the efforts to implement the "Standards for Kosovo" and to finalize the implementation plan. Only by focusing on achieving those standards can Kosovo put this ugly series of incidents behind it and begin again to make progress with regard to its European aspirations.

The President (*spoke in French*): In accordance with the understanding reached among Council members, I wish to remind all speakers kindly to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber.

Mr. Muñoz (Chile)(*spoke in Spanish*): I would like first to thank you, Mr. President, for having convened this meeting to discuss the situation in Kosovo. This debate is of great importance, given the recent events that have taken place on the ground.

We welcome the presence among us of the Secretary-General, the Minister for Foreign Affairs of Germany, Joschka Fisher, and the Minister for Foreign Affairs of Serbia and Montenegro, Goran Svilanovic. Their participation is powerful testimony to the gravity of the events that we are considering today.

My Government condemns with the utmost vigour the atrocious acts of violence — the worst since 1999 — that have taken place between Kosovo Albanians and Kosovo Serbs in Mitrovica, Pec and elsewhere, resulting in a tragic loss of life, injury to hundreds, including personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR, and substantial material damage. Those responsible must be brought to justice. Impunity must not be allowed to take hold in Kosovo.

We would like in particular to offer our condolences to and express our solidarity with the families of those who have died.

The acts of violence, which now seem to be out of control, cannot and should not pressure us to attempt interpretations regarding the ultimate motivation of such violence or cause us to falter in our efforts to achieve a multi-ethnic, democratic Kosovo capable of integrating all its inhabitants, without exclusion of any form, pursuant to resolution 1244 (1999).

We are concerned about the political damage that may be done to the process by those reprehensible acts. We therefore call on all the parties involved to abandon their combative posture and use available peaceful and democratic means to resolve their differences.

The guns must be silenced and dialogue resumed. Without constructive dialogue between Belgrade and Pristina, or between UNMIK and the Kosovo Assembly, a concrete response to the enormous challenges that exist will remain a remote expectation.

Worse still, the most important of all the objectives — ensuring that all the inhabitants of Kosovo can live in their homeland in dignity, freedom and security — would be undermined.

Finally, we would like to reaffirm our full support for the Special Representative of the Secretary-General, the personnel of UNMIK and the maintenance of the policy of "standards before status".

Mr. Zhang Yishan (China) (*spoke in Chinese*): I should like first of all to express my gratitude to you, Mr. President, for having convened this necessary and timely meeting.

The Chinese delegation would like to welcome the Minister for Foreign Affairs of Serbia and Montenegro and the Minister for Foreign Affairs of Germany to today's meeting. I would also like to welcome in particular the presence of the Secretary-General, Mr. Kofi Annan.

The Chinese delegation is shocked by the serious, bloody events that have taken place in recent days in Mitrovica and other cities in Kosovo, resulting in many deaths and injuries. We condemn those acts of violence in the strongest terms. I would like to take this opportunity to express our deep condolences to the families of the victims. We call upon the Albanian and Serb communities in Kosovo to exercise maximum restraint so as to prevent the situation from worsening.

Those tragic events have demonstrated that, almost five years after the Security Council adopted resolution 1244 (1999), the situation in Kosovo is still very fragile and there is still a long way to go before peace, stability and multi-ethnic harmony and peaceful coexistence can be achieved in Kosovo. The international community, the Government of Serbia and Montenegro and the Provisional Institutions of Self-Government must redouble their efforts to that end.

We welcome the joint statement made on 17 March by UNMIK, the Provisional Institutions of Self-Government, political leaders and other parties. We support all the efforts made by the Special Representative of the Secretary-General, UNMIK and KFOR to re-stabilize the situation. We earnestly hope that the Provisional Institutions of Self-Government and other relevant parties will work closely with them so as to prevent such events from recurring.

Mr. Motoc (Romania): The Romanian authorities are deeply concerned about what has happened in Kosovo in recent days. I believe that all the countries in our region share this serious concern. We are also in full agreement with the statement on Kosovo issued by the European Union, with which we have associated ourselves.

We believe that the gravity of the situation is clearly evidenced by the presence at this meeting of the German Vice-Chancellor, Mr. Joschka Fischer, and of the Federal Minister for Foreign Affairs of Serbia and Montenegro, Mr. Goran Svilanovic. My delegation appreciates the personal presence at this important Security Council meeting of the Secretary-General, Mr. Kofi Annan.

First and foremost, all violence should stop immediately. The Special Representative of the Secretary-General, the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR have our full support to use their capabilities and powers to restore calm and protect Kosovars, regardless of their ethnic identity. We welcome NATO's decision to send reinforcements to Kosovo, demonstrating the alliance's will to carry out its mission in Kosovo and its stability to do so. Any attack against KFOR troops and UNMIK personnel is unacceptable to us. The perpetrators of such attacks and of all of the violent acts that have erupted in Kosovo must be brought to justice as soon as possible.

Romania is profoundly saddened by the deaths and injuries that occurred during the events in Kosovo, including the casualties among KFOR troops and the UNMIK international civilian police. We extend our condolences to the families of the victims and our sympathy and support to the injured.

Romania is also outraged and disappointed by the massive display of ethnic hatred that was shown in Kosovo at a time when our hopes were going towards a committed implementation of the standards laid out by the international community.

The deplorable and tragic events in Kosovo have demonstrated beyond doubt that the international community should remain focused and determined, and that the highest priority should be given to enforcing the rule of law, ensuring proper security for all ethnic minorities and bringing to justice the perpetrators of criminal acts. Until we have tangible progress in these issues, we cannot approach successfully other problems related to Kosovo's future.

At the same time, we should not allow five years of tremendous efforts in Kosovo to be washed out by these events. Once normalcy is restored, there will be important lessons to be taken by all concerned. But the international community should be undeterred in its fundamental objective of establishing a stable, multi-ethnic and democratic Kosovo, in accordance with resolution 1244 (1999). There should be no turning back to the past and no giving back to extremists.

The political leaders in Kosovo must exercise their democratically established authority over the population in order to unequivocally protect all minorities and their extremely important religious, cultural and historical heritage. This is a fundamental value for Europeans, and we would want to make sure in the future that it is equally appreciated and observed by Kosovo society.

As I have mentioned before, Romania continues to be fully committed, politically and as well as in very concrete terms, to Kosovo's stabilization. As a token of this commitment, we are proud that yesterday a Romanian gendarmes detachment faced up to the pressure and fulfilled their responsibilities in helping restore the situation in Mitrovica, along with their colleagues of the multinational KFOR and UNMIK troops.

Mr. Cunningham (United States of America): I, of course, join you, Mr. President, in welcoming the Secretary-General, the Foreign Minister of Serbia and Montenegro and the Foreign Minister of Germany, to this Council meeting.

The events that have taken place in Kosovo threaten the security of Kosovo and the wider region. These are the most serious security incidents since the end of NATO's intervention in Kosovo in 1999. They must halt and must not be repeated.

The United States fully supports the strong efforts of KFOR and of the Special Representative of the Secretary-General, Mr. Holkeri, to re-establish order and to calm the situation. KFOR, together with the international civilian police and the Kosovo Protection Force, are fully engaged. Those responsible for the violence, on whatever side, should be brought to justice.

My Government resolutely condemns these incidents of serious violence in Kosovo. It is tragic that a still undetermined number of people, perhaps 30 or more, both Serbs and ethnic Albanians, have been killed and many more injured. Churches and homes have been burned. The United States extends its sincere condolences to the families of all who have lost their lives in Kosovo in the last days or who been injured or have seen their property lost. We also condemn attacks on the international presence, which are completely unacceptable and which must cease.

We call on all people in Kosovo immediately to restore calm, observe order, return to their homes, stop damaging cultural, religious and historical sites, lift the blockage of transportation arteries and support the efforts of KFOR and the international civilian police. We also urge the people and the Government of Serbia and Montenegro to continue to support our efforts to restore calm in Kosovo and to stop arson attacks on religious sites in Serbia.

There can be no way forward for the people of Kosovo other than to respond to yesterday's joint appeal of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the leaders of the Kosovo Provisional Institutions of Self-Government urging the restoration of calm and order. The rule of law is an essential condition for the future. We urge leaders of the Provisional Institutions of Self-Government from all communities to continue to urge their constituents to desist from violence fully and unconditionally.

My authorities have asked me to conclude with an appeal to the leaders of Kosovo: that they understand that the complete cessation of violence is the prerequisite for us to make decisions on Kosovo's future political status. This cannot be accomplished through violence.

Mr. Gaspar Martins (Angola): We thank you very much, Mr. President, for convening this timely meeting on Kosovo. We welcome particularly the presence of the Secretary-General, Kofi Annan, and the presence of the Vice-Chancellor and Minister for Foreign Affairs of Germany, Joschka Fischer and of Foreign Minister Goran Svilanovic of Serbia and Montenegro.

The events taking place in Kosovo are unexpectedly threatening years of hard work by dedicated peace-builders and the huge financial, human and political investment in peace by the international community.

When, a few weeks ago, the Council considered the Secretary-General's report on the United Nations Interim Administration Mission in Kosovo (UNMIK), (S/2004/71) and we heard the statement by the head of the Mission, it was quite far away from our minds that events like those occurring now could take place. Despite difficulties and the awareness of the long way to go before a democratic and multi-ethnic society could be established in Kosovo, we were comforted by assurances that real progress had been achieved and that the benchmarks established by the international community towards that end could be met in the foreseeable future. The disturbing events occurring now in Kosovo deserve our strongest condemnation and are a wake-up call to the international community.

At the last meeting of the Council devoted to the situation in Kosovo (see S/PV.4910), the Assistant Minister for Foreign Affairs of Serbia and Montenegro called our attention to a number of facts: the decrease in ethnically-motivated crimes, but with the authors of such crimes enjoying impunity; the discouraging number of returns of displaced persons; and the lack of political will to create conditions for the effective participation of the Kosovo Serbs in the political process. The Assistant Minister considered that UNMIK's main task should be to create sustainable conditions for a multi-ethnic Kosovo, where all communities could live freely and accede on an equal footing to the Institutions. I mention these facts since pointing them out will help us remember that something was brewing and that there was a warning to the Council.

In the view of my delegation, this is not a time for despair, despite the gravity of the situation. The international community's commitment to Kosovo must continue. In our view, the strategy applied so far — the "standards before status" policy — is a just one, which, with determination and preservation, will bear results.

The events occurring now show that the attainment of the final objective is further away than planned, but we are still confident that the people of Kosovo, with the assistance of the international community, will be able to meet the objectives set out in resolution 1244 (1999).

Before concluding, a word of condolence and sympathy to the families of the victims, as well as a word of encouragement for all those who strive for a better future for the population and for a democratic and multi-ethnic Kosovo.

I end by expressing my delegation's full support for the Special Representative, UNMIK and KFOR in their efforts to stabilize the situation in Kosovo.

Sir Emyr Jones Parry (United Kingdom): I would like to associate myself with the statement to be delivered later by Ambassador Ryan on behalf of the European Union, with the comments of all those who have called for an end to violence and with those who have expressed sympathy for the victims and their families. And like others, the United Kingdom welcomes very much the presence of the Secretary-General and the two Ministers at this very important debate.

Yesterday was a very bad day for Kosovo. As the inter-ethnic violence spread, so the clock was turned back. The truth is that Kosovo has too much history. There has been too much inter-ethnic bloodshed in the province. Instead, Kosovo has no choice but to move forward. In the short term, its leaders must not only condemn violence; they must use their influence actively to work with the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR to restore order.

This is the time to encourage calm, not the time for rhetoric or irresponsibility. It is the time for measured, considered action, not impetuosity. It is the time to show solidarity between the different communities, not to increase division. And it is the time for democratic credentials to be burnished, not an opportunity for anarchy and riot. Lastly, I think it is a time for a continued and strengthened dialogue between Pristina and Belgrade.

At the request of the Secretary-General of NATO, the United Kingdom is at this moment deploying a spearhead battalion into Kosovo. It is the Operational Reserve Force, and it will be there from tonight. It will start to deploy to help stabilize the situation on the ground.

But looking forward, resolution 1244 (1999) charts a future. It sets a clear vision for Kosovo. It gives an opportunity to Kosovo leaders. The international community has invested very substantially in that future and in that vision of a tolerant, multi-ethnic and democratic Kosovo. UNMIK, Special Representative Holkeri and KFOR enjoy the

full support of the British Government in trying to help achieve those goals.

That is why the Council has endorsed the "Standards for Kosovo" paper and the review mechanism. That remains the only way forward for Kosovo. Those attempting to derail the process will not be allowed to prevail, nor will the perpetrators of violence succeed in speeding up final status negotiations — quite the reverse. The international community is entitled to expect and require the implementation of those standards, to demand an end to violence and to insist that Kosovo, its institutions and all its people renew their commitment to the rule of law, to the tolerant coexistence of communities and to establishing a real democratic future for the province.

Mr. Adechi (Benin) (*spoke in French*): I thank you, Mr. President, for convening this meeting to examine the tragic situation prevailing in Kosovo. My delegation expresses its full appreciation to the Secretary-General, whose presence among us at this critical moment for the future of Kosovo demonstrates his personal commitment to the international community's rapid and concerted action in the face of the latest developments of which we have just been informed.

I also welcome the presence at this meeting of the Minister for Foreign Affairs of Serbia and Montenegro and the Minister for Foreign Affairs of Germany.

The tragic events, which we condemn, demonstrate that the process of reconciliation among the ethnic communities living in Kosovo still has far to go. At the very least, we can say that mutual trust between the two communities has not been fully established and that, rather, mistrust runs so deep that the slightest incident is liable to trigger an outburst of violence, with incalculable consequences for the process of building the rule of law in Kosovo. Benin vigorously condemns the acts of violence, the instances of ethnic cleansing and the attacks on the integrity of the international missions in Kosovo. As well, we extend our condolences to the families of victims.

The damages suffered by the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR are completely unacceptable, as are the loss of human lives in the two communities and the destruction of property and cultural artefacts, which constitutes a grave attack on the shared patrimony of humankind. The perpetrators of those acts are personally responsible for their actions. The international community must ensure that no crime or violation of human rights in Kosovo goes unpunished.

We believe that in the current situation the Security Council must urgently send a strong message to the Serbian and Albanian communities of Kosovo, calling on them to show greater restraint. The multi-ethnic character of the province, tolerance and the equal rights of all communities must be respected. The acts of intimidation and inter-community violence hinder the establishment of a democratic Kosovo that respects the rule of law. We should therefore do everything to prevent another humanitarian catastrophe.

In that regard, we support the efforts of the Special Representative of the Secretary-General, who should make use of all his authority in Kosovo to prevent an escalation of violence and a humanitarian disaster in the province. We also support the reinforcement measures to restore order and calm.

That said, in Kosovo, we should put more emphasis on measures to strengthen trust between the two communities, to promote the reconciliation of ethnic groups and to strengthen the authority of the established democratic institutions, rigorously applying the norms established by the international community before the decision on the final status of the province.

Mr. Sardenberg (Brazil): I thank you, Mr. President, for convening this very timely meeting. I would like to welcome the presence of the Secretary-General on this occasion, and I express our greetings to the Foreign Ministers of Germany and of Serbia and Montenegro.

As the sound of gunfire and explosions is heard once again in the streets of Mitrovica and many other localities, Brazil shares the indignation and sorrow of the international community at another surge of intolerance, revenge and ethnic violence in that region of the world.

The peacekeeping and international police forces reacted quickly to try to defuse yesterday's riots. Unfortunately, their efforts could not avoid the escalation of violence that resulted in the death of civilians and left hundreds injured. Moreover, to our deep regret, they became themselves victims of blind violence, as a number of KFOR soldiers and civilian police of the United Nations Interim Administration

Mission in Kosovo (UNMIK) were among the wounded. We expect that those responsible for such acts will face justice and that the announced deployment of three new peacekeeping units will strengthen the efforts of KFOR and UNMIK to prevent further clashes.

During its five years of tireless work there, the United Nations has helped fight the scourges of crime, terror and ethnic cleansing. It is disheartening to see that, despite that strenuous endeavour, the situation threatens once again to deteriorate into rioting and chaos. This is undoubtedly the most severe case of unrest since the end in 1999 of the conflict in the region, as many of those who spoke before me have pointed out.

Our delegation has reaffirmed on many occasions our commitment to a stable, democratic, peaceful and multi-ethnic Kosovo. We firmly support joint action to promote reconciliation and stability. We believe that the full protection of human rights is essential to achieve peace on the basis of international law. Brazil continues to support the full implementation of resolution 1244 (1999) and the "standards before status" policy as the only reasonable choice for a peaceful Kosovo.

We condemn ethnically motivated brutality. In this regard, we add our voice to that of the Secretary-General in his strong condemnation of the incidents and in his call for an immediate halt to the ethnic violence. We also fully support the work of the Secretary-General's Special Representative, Harri Holkeri.

This alarming outbreak of violence calls for an appropriate and vigorous reaction by the international community. It reminds us that many important challenges still remain. Nevertheless, nothing can really be done without serious efforts by all parties involved, including local authorities, both in Pristina and in Belgrade.

A truly multi-ethnic society can be built only through decisive involvement and participation by all individuals and groups, including all minorities. The ultimate responsibility for preventing Kosovo from being engulfed once again in conflict rests with their people and leaders. Their commitment to the Provisional Institutions, their peaceful engagement in the political process and their willingness to fight corruption and adopt the necessary economic reforms will determine their ability to find a way out of the present deadlock.

Mr. Arias (Spain) (*spoke in Spanish*): I wish to express my gratitude for the presence in our midst of the Ministers for Foreign Affairs of Germany and of Serbia and Montenegro, as well as that of the Secretary-General.

My delegation fully endorses the statement to be made later by the European Union presidency.

We vigorously condemn the clashes that have taken place in Kosovo, which have resulted in many deaths and injuries as well as in attacks against international organizations in Kosovo. We appeal to all Kosovo communities to put an end to the acts of violence and to return to dialogue and negotiation in order to resolve their differences.

Lastly, we reaffirm our conviction that resolution 1244 (1999) is the sole legal framework for the establishment of a democratic and multi-ethnic society in Kosovo.

Mr. Akram (Pakistan): Mr. President, we would like to thank you for convening this meeting today with regard to the grave events in Kosovo. We are grateful for the presence of the Secretary-General and for the eloquent statement he made to the Council this afternoon. I would like also to welcome warmly the participation of Foreign Minister Fischer of Germany and of Foreign Minister Svilanovic of Serbia and Montenegro at this meeting.

Pakistan condemns the violence in Mitrovica and other parts of Kosovo in the strongest terms, especially the loss of human life, including the death of innocent children. We condemn also the attacks against the personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK) and of KFOR and against religious sites, and demand that such acts be stopped. Like others, we call for legal investigations to ascertain the origins of these alarming events and to bring the perpetrators to justice.

Pakistan fully supports the efforts of the Special Representative of the Secretary-General, Mr. Holkeri, and the call made by the Secretary-General to help restore calm and stability.

The disturbing events in Kosovo underscore the urgent need to uphold the rule of law, ensure proper security for all ethnic communities and bring to justice

all those involved in criminal acts. We join others in urging all the people of Kosovo to work through the recognized legitimate channels, including UNMIK and the Provisional Institutions, to address their grievances. We also agree that the establishment of a multi-ethnic, tolerant, democratic and peaceful society in Kosovo remains a fundamental objective in the implementation of resolution 1244 (1999).

The present disturbances are the worst that Kosovo has experienced since 1999. We must reflect deeply on the reasons for this. We must evaluate whether our approach so far requires any adjustment. We must note the perception, brought to our attention today, that the international community is not being seen in Kosovo as taking credible steps towards a final and durable solution.

Our fundamental aim must be to address the root causes of the tensions and conflict in Kosovo. In that regard, I wish to conclude by offering some observations on what steps should be taken to address the challenge, which I would like to submit for the Council's consideration.

First, there is a need to press all parties to rein in their respective extremists and to ensure that such violence, especially against innocent civilians, including women and children, is no longer tolerated.

Secondly, there is a need to intensify security efforts against those extremist elements as well as against organized crime, which feeds them, including, as far as possible, the securing of Kosovo's borders.

Thirdly, it is necessary to seriously prepare the ground for the peaceful, legal and democratically rooted process of resolving Kosovo's final status. Without movements towards this, the solution to the problems in Kosovo may continue to remain elusive.

Mr. Baja (Philippines): Mr. President, we thank you for having convened this afternoon's meeting on Kosovo and the Secretary-General for his comprehensive and informative briefing. We are honoured also by the presence in our midst of the Foreign Ministers of Germany and of Serbia and Montenegro.

Yesterday Kosovo once again became a war zone when the longstanding ethnic animus between the Serbs and the Albanians erupted in an orgy of death and destruction — the worst since the international community stepped in five years ago to put an end to a bloody conflict which neither side seems willing to forgive and forget.

We condemn the violence, which has resulted, as reported this morning, in 31 people dead and more than 200 wounded, including 11 peacekeepers and 61 police officers. These are only initial figures. The number of dead and wounded is expected to rise. The extent of the property damage has still not been fully assessed, although we know that a number of houses and public buildings have been torched by rampaging mobs across the country. We have been informed by our embassy in Budapest that even the Philippine police contingent's quarters in Kosovo have been burned and looted.

My delegation joins the rest of the Security Council in expressing our indignation at these reprehensible acts of violence, which have dealt a severe blow to the international community's efforts to bring about a tolerant, multi-ethnic and democratic Kosovo. Such outbreaks of ethnically related violence have no room in Kosovo's future. This violence has to stop, and it must stop now.

What happened in Kosovo yesterday is indeed unfortunate. Only a few weeks ago, we heard the Special Representative of the Secretary-General, Mr. Harri Holkeri, speak of how Kosovo was slowly but surely moving in the direction that the international community wants it to take. It is also regrettable this violence should happen only a few days after Mr. Holkeri announced the holding of elections in Kosovo in October and following the visit there, a few days ago, of the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno.

Yesterday's violence may seem to be a spontaneous release of collective anger and frustration, but we should note that it took some time to build up and did not take place without warning. Before yesterday's violence, there had been indications that Kosovo remains the ethnic tinderbox that it has always been.

This outbreak of violence has dealt a severe blow to efforts to bring peace and stability to Kosovo. What happened yesterday should prompt us to take a second look at the situation there and make adjustments if necessary. We should ask ourselves whether the violence could have been prevented. We should ask this not to put blame on anyone, but to allow us to come up with an appropriate response and to prevent such incidents from happening again. Right now, the most

important thing is to restore order there. The international community must take the necessary steps to make sure that the rule of law prevails in Kosovo and that elements from both within and without are given no opportunity to sow further discord in the province in order to advance their agenda. Ethnic Serbs and Albanians must be prevailed upon to exercise restraint and avoid taking any action that would lead to further chaos. Appropriate measures should also be taken to ensure that those responsible for the latest wave of violence are brought to justice.

We join the call for Kosovars and their leaders to employ their best efforts to implement the "Standards for Kosovo," while keeping in mind that peace efforts cannot be implemented as a political project, even by the most well-meaning — or the best-armed — unless the soil is fully cultivated.

Mr. Baali (Algeria) (*spoke in French*): Mr. President, I would like to thank you for having organized this emergency meeting, following the serious deterioration of the security situation in Kosovo. I would also like to welcome the Minister for Foreign Affairs of Serbia and Montenegro and to thank him for having come to New York to give us an update on the situation in Kosovo.

My country is following with serious concern the developments in Kosovo after the acts of violence provoked by the inter-ethnic clashes between Kosovo Albanians and Kosovo Serbs that have left 22 dead and several hundred wounded. We condemn these acts of violence, which, if unchecked, will stir up inter-ethnic rivalries, exacerbate the feelings of alienation between Kosovar communities, revive the confrontational mindset that led the country to the brink of chaos, and compromise everything that has been patiently and painstakingly achieved in Kosovo.

As a result, my country calls on all parties to put an end to these lethal clashes and to work together for a return to calm and an improvement of the security situation. Maintaining order and a return to normalcy in Kosovo are also the responsibility of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR. They must fully shoulder that responsibility. The reinforcements dispatched to Kosovo in order to stabilize the situation and restore calm in the province are thus very encouraging. The police investigation currently being conducted to determine who was responsible for these confrontations and to bring the perpetrators to justice will help restraint to prevail and put an end to these clashes.

This abrupt outbreak of violence is especially regrettable since it follows striking progress and a significant improvement in the political and operational conditions in Kosovo and since it comes at a time when intense efforts have been deployed to build a Kosovo which is multi-ethnic, tolerant, democratic and prosperous, in which the rule of law prevails and human rights are respected.

However, these tragic incidents have revealed the ongoing nature of these ethnic schisms and have reinforced, at the same time, our deep conviction that there is no alternative to a multi-ethnic and tolerant society in Kosovo. Kosovars have no other choice than to live together, harmoniously and in peace with one another. Multi-ethnic integration in Kosovo obviously requires that reconciliation and understanding among the different Kosovar communities be promoted and that differences and resentments resulting from the period of confrontation be overcome. Reconciliation among all segments of Kosovar society is the key to any progress towards that end. This aspect must henceforth be one of the international community's highest priorities, and the international community will need to support fully the reconciliation process.

To conclude, I would like to take this opportunity to express our full support for the efforts of UNMIK, KFOR and the provisional authorities to establish stability and to allow for a return to calm in Kosovo.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): We too welcome the participation in today's meeting of the Secretary-General and of the Ministers for Foreign Affairs of Germany and of Serbia and Montenegro. Their involvement shows the importance of today's discussion.

Russia is deeply concerned as it follows the developments of the situation in Kosovo. As a result of the abrupt outbreak of inter-ethnic violence, we have seen numerous casualties in the region, the dead and wounded including staff of the international presences in Kosovo. The scope of the violence, apparently first perpetrated by the representatives of the Kosovar Albanian community against ethnic minorities and the international presences, allows us to speak of targeted actions to squeeze the non-Albanian population out of the region. According to the information reaching us, the situation in the district continues to heat up,

particularly in the Kosovska and Mitrovica region. The Kosovar Albanians in that region are concentrated around the bridges over the Ibar river. They are building shelters in order to prepare for a transition into action. The Serbs are seriously concerned that the KFOR contingent deployed in that region will not be able to prevent a deterioration of the situation. The Security Council cannot remain on the sidelines.

The major challenge now is to stop the violence, to do our utmost to stabilize the situation, to give the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR the chance to restore law and order in the region. We are convinced that unless we quickly take decisive measures to restore order, there is a credible danger of the peace process — so painstakingly organized by the efforts of the international community — being undermined.

We are deeply concerned by the scope of the violence and the speed with which it has spread throughout the district. In our view, this once again demonstrates how fragile and unstable the peace was in Kosovo and how much more needs to be done to build trust among the ethnic groups populating the region. But for now, we must note that the process of building a multi-ethnic society in Kosovo in conformity with Security Council resolution 1244 (1999) has not merely bogged down; it is, in fact, back to square one.

Russia has repeatedly spoken of the need for a multilateral approach to the Kosovo settlement process, calling for the resolution of socio-economic problems and for ensuring equal security for all inhabitants of the region and full observance of their political rights and freedoms. How can we speak about implementing the plan approved by the international community, the "Standards for Kosovo", when, in reality, one of the parties is blatantly violating these standards? We deem it essential for the Security Council to vigorously demand that all parties to the conflict, first of all the Kosovar Albanian majority in the district, immediately cease all acts of violence.

UNMIK, along with KFOR, must undertake urgent additional measures aimed at the unconditional restoration of legality and public order and at ensuring the safety of the representatives of all ethnic communities in the district.

On that basis, the Russian delegation is prepared to support the draft presidential statement as a strong signal to the Kosovo Albanian side, which bears main responsibility for the ongoing inter-ethnic violence. For its part, as a permanent member of the Security Council, Russia is ready to participate actively in seeking a solution to the problem of Kosovo.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of France.

Like previous speakers, I wish at the outset to welcome the participation in today's debate of the Secretary-General, the Minister for Foreign Affairs of Serbia and Montenegro and the Minister for Foreign Affairs of Germany. Their participation clearly attests to the gravity of the situation.

I associate myself with the statement that will shortly be made by the Permanent Representative of Ireland on behalf of the European Union, and I shall confine myself now to a few brief comments.

France condemns in the strongest terms yesterday's deadly clashes in Kosovo between the Serb and Albanian communities. Our first thoughts are for the families of the victims.

The violence also targeted the international presence in Kosovo, which has been working for peace, stabilization and reconstruction. Some dozen KFOR soldiers were wounded, and the United Nations Interim Administration Mission in Kosovo (UNMIK) too was a target: several UNMIK buildings and vehicles were set on fire. This flareup of violence is the greatest challenge posed to the international community in Kosovo since 1999.

Whatever the causes, recourse to such acts of violence cannot be tolerated. Inter-ethnic violence and violence against KFOR and UNMIK are unacceptable and must end immediately. Those responsible must be arrested and brought to justice.

We urge all of Kosovo's political leaders, both Albanian and Serb, to act responsibly and to call on the population to put an immediate end to violence and to restore calm. They must set aside confrontation and work together to put an end to the violence.

France attaches the greatest importance to the full and complete implementation of Security Council resolution 1244 (1999). Only the "Standards for Kosovo" will make it possible for Kosovo to draw closer to Europe. Here, respect for multi-ethnicity is

among the key conditions, and under no circumstances must it be jeopardized by violence.

I now resume my functions as President of the Security Council.

The next speaker is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): The Albanian Government is following with great concern the latest developments in Kosovo. We deeply regret the recent escalation in the situation there and the loss of human lives. In response to the recent deplorable events, I should like to reiterate the firm position of the Albanian Government against violence and violent acts, regardless of the motives behind them. We strongly condemn the violence as unacceptable and damaging.

Such events run against the general trend in Kosovo of progress towards a democratic and multi-ethnic society. They run against the general will of the people of Kosovo to build, and live in, a free and open society where the rule of law is not replaced by the violence of the past and by ethnic hatred.

The Albanian Government stresses that this situation of violence threatens the process of democratization and reconciliation in Kosovo and that it must end immediately. We call upon all the citizens of Kosovo to demonstrate maturity, maintain calm and cooperate in full confidence with the legitimate local and international authorities — the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR — in order to restore law and order; we express our confidence that they will do so.

UNMIK and KFOR have accomplished an admirable task in Kosovo, building democratic institutions, increasing stability and, ultimately, laying the foundations of a multi-ethnic society. The implementation of the standards set by the Security Council has shown the determination of the international community to create the future society of Kosovo. UNMIK and its activities should not be judged through the prism of the interests of those who feel frustrated and who cannot function under its guidance. Nor should it be judged through the prism of the interests of those who cultivate parallel structures that seek to challenge its authority. We are fully confident that UNMIK will continue to play a central and crucial role in Kosovo and that it will successfully fulfil its mandate there.

The recent sad events in Kosovo should not be considered as reflecting a failure of the process or of the positive engagement there; they do not. Only those who are not interested in the progress of the standards and who are not confident with respect to the international community in Kosovo can say that.

The Government of Albania takes this opportunity once again to reaffirm its support for the policy of the Security Council towards Kosovo and for its resolution 1244 (1999). We also reaffirm our full support for the Special Representative of the Secretary-General, Mr. Harri Holkeri, UNMIK and KFOR, and we extend that support to them. We continue to strongly believe that the standards policy is the fundamental basis of a peaceful, prosperous and democratic Kosovo that will spread yet more stability and security in the western Balkans and that will be a part of the regional and European integration processes.

What happened yesterday in Kosovo was not the result of coexistence. To the contrary, it was the result of a lack of engagement or action towards coexistence — or even the result of efforts to undermine such coexistence. It was the product of a constant policy of keeping alive parallel administrative structures that continue to feed ethnic isolation and to drive new waves of ethnic separation, with the purpose of dividing Kosovo. These tragic events strongly evoke the imperative need to respect law and institutions. They give rise to serious concerns about the obstacles raised by parallel structures in Kosovo. The need to dismantle those structures grows increasingly urgent if we are to strengthen legitimate institutions, the rule of law and order, the continuity of democratic processes and the development of multi-ethnicity there. At the same time, we ask that more responsibility be devolved upon the Provisional Institutions.

In conclusion, I would stress that the implementation of the policy of the international community, in particular the Security Council's recommendations for Kosovo, will succeed if the regional political actors support the spirit of cooperation, European integration and coexistence there. It should be clear to all that the path that Kosovo should follow cannot be the product of any imposed unilateral initiative. It should lie within the framework

established by the international community, at the core of which are dialogue and understanding, not intolerance and violence.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Ireland. I invite him to take a seat at the Council table and to make his statement.

Mr. Ryan (Ireland): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, and the European Free Trade Association countries, Iceland, Liechtenstein and Norway, members of the European Economic Area, declare that they align themselves with this statement.

I would like to join other speakers in welcoming the presence of the Secretary-General, Foreign Minister Svilanovic of Serbia and Montenegro and Foreign Minister Fischer of Germany.

The European Union calls for an immediate end to the violence which has claimed lives and caused injury to large numbers of people in Kosovo. We add our voice to those of Special Representative Harri Holkeri and Secretary-General Kofi Annan in condemning the violence which has erupted between Kosovo Albanians and Kosovo Serbs and which has resulted in many deaths as well as in injuries to a large number of civilians, KFOR soldiers and civilian police of the United Nations Interim Administration Mission in Kosovo (UNMIK). Our deep sympathies are with the families of the victims. We extend our condolences to them.

The immediate priority is that calm must be restored in Kosovo. It is essential that the violence stop now and that it not be allowed to escalate. There is also no place for those who burn churches and mosques, schools and hospitals, and who destroy the religious and cultural heritage which is the common property of us all. The European Union calls on all local leaders to act responsibly at this dangerous moment and to use all their influence to bring an end to the violence and to restore calm.

The European Union strongly supports the efforts of the Special Representative of the Secretary-General, Mr. Harri Holkeri, to calm the situation. I would like to underscore the European Union's strong support for Special Representative Holkeri in his task of implementing in full Security Council resolution 1244 (1999) and UNMIK's policy of "standards before status". These remain the foundation of the international community's commitment to Kosovo. The path ahead for Kosovo lies in the implementation of the standards, and these violent events risk undermining the painfully achieved progress which has been made thus far.

Those responsible for the violence must be brought to justice. There is a heavy responsibility on all to avoid actions which would undermine the work under way to ensure a stable future for a secure, democratic and multi-ethnic Kosovo within its place in Europe.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Haraguchi (Japan): Let me say at the outset that Japan strongly condemns the new wave of violence in Kosovo, which erupted yesterday and has already resulted in many injuries and deaths. My Government calls for an immediate end to the violence and demands that the perpetrators be brought to justice. We also strongly deplore the attacks on KFOR soldiers and on personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK). It is particularly regrettable that those incidents occurred and that so many were killed or injured at a time when concerned parties from the international community — especially the Special Representative of the Secretary-General, Mr. Harri Holkeri — have been making sincere efforts aimed at constructive peace-building. We also wish to extend our sincere condolences to the families of the victims.

The people of Kosovo have endured massive losses in precious lives and property in the past. Moreover, the international community has invested enormous resources, in terms of personnel, diplomacy and financial resources, in the hope of resolving this tragic situation. Japan considers that all parties to the conflict must keep those facts fully in mind. We strongly urge all parties concerned to make a determined effort to resolve the issue on the basis of Security Council resolution 1244 (1999) and the "standards before status" policy, through strengthened

dialogue and without further escalating this tense situation.

On the other hand, my Government believes that the international community must continue its efforts in the areas of the consolidation of peace and economic development — which is a precondition for peace — in order to ensure that this kind of violence does not break out again. In that connection, we hope that there will be a useful exchange of opinions at the ministerial conference on peace consolidation and economic development of the western Balkans, which we plan to hold in Tokyo in April. Japan also would like to underscore, as a concrete measure to prevent such incidents, the importance of enhancing security in Kosovo through initiatives such as the illicit small arms control projects of the United Nations Development Programme, which my Government has been supporting.

Japan intends to maintain its commitment to achieving the stability and prosperity of the South-Eastern European region, in cooperation with the international community, in the firm belief that the stabilization of the situation in Kosovo is essential for attaining that goal.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of the former Yugoslav Republic of Macedonia. I invite him to take a seat at the Council table and to make his statement.

Mr. Nikolov (The former Yugoslav Republic of Macedonia): Permit me at the outset to join other speakers in welcoming the presence of the Secretary-General, Foreign Minister Svilanovic of Serbia and Montenegro and Foreign Minister Fischer of Germany. Allow me also to join those who have associated themselves with the statement made by the Permanent Representative of Ireland on behalf of the European Union.

The Government of the Republic of Macedonia is following the situation in Kosovo with great concern. Yesterday's tragic developments run counter to the efforts of the international community and the people of Kosovo for further democratization and for the stabilization of the situation in Kosovo.

I would like to express my Government's deep regret and strong condemnation at the escalation of the violence between Kosovo Albanians and Kosovo Serbs in Mitrovica, Lipljane, Pec, Gnjilane and other places, which has already claimed lives and caused hundreds of injuries among civilians, KFOR soldiers and civilian police of the United Nations Interim Administration Mission in Kosovo (UNMIK). We urge the people of Kosovo to demonstrate wisdom and to restore calm and normalcy. It is of great importance and immediate priority to stop the violence, which jeopardizes Kosovo's stability and security and undermines the efforts made and the achievements accomplished in the process of building a stable, democratic and multi-ethnic Kosovo. The destabilization of Kosovo could also jeopardize the situation in the region as a whole.

My Government strongly condemns extremism, no matter where it comes from. It can only cause further escalation of the situation, which will not contribute to the normalization of the situation and could have further negative implications in the region. We fully support the efforts of UNMIK and the Special Representative of the Secretary-General, Harri Holkeri, as well as those of KFOR and the rest of the international community, to calm the situation immediately.

Let me emphasize once again that the recent tragic developments in Kosovo are only minimizing the efforts of the international community to democratize the situation in Kosovo, to fully implement the policy of "standards before status" and to continue the necessary dialogue.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Jordan. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Khasawneh (Jordan): Allow me at the outset, Sir, to congratulate you on your assumption of the presidency of the Council for this month and to express confidence that through your leadership you will guide its deliberations successfully. In the same vein allow me to extend my delegation's appreciation to your predecessor, His Excellency the Permanent Representative of China, for the skilful manner in which he presided over the Council during the previous month.

I would also like to express our profound gratitude for the convening of this open meeting of the Council to deliberate upon the regrettable developments in Kosovo.

My delegation wishes to express its grave concern over the outbreak of violence throughout Kosovo in a manner and on a scale that is being characterized as the most far-reaching since 1999. We condemn all manifestations of such violence, in particular the targeting of all places of worship. The renewed outbreak of violence compels us to reflect on the timeliness of the downsizing plans for the United Nations Interim Administration Mission in Kosovo (UNMIK).

Furthermore, Jordan, being one of the contributors to UNMIK, expresses its concern over the injuries sustained by the United Nations Mission personnel in Kosovo and damages incurred to their equipment. UNMIK is operating in Kosovo with a mandate to preserve, sustain and assist in the restoration of peace and security to Kosovo and the process of institution-building therein.

We are mindful of the fact that guaranteeing continued protection and safeguards for UNMIK and other international personnel in Kosovo is of paramount importance and should be observed and respected by all parties concerned on the ground, at all times and under all circumstances. In that context resolution 1244 (1999), adopted under Chapter VII of the Charter, stresses that the Council is

> "Determined to ensure the safety and security of international personnel and the implementation by all concerned of their responsibilities under the present resolution."

Moreover, we should like to point to the fact that the Rome Statute establishing the International Criminal Court clearly classified all attacks directed against United Nations and humanitarian international personnel as war crimes in recognition of the gravity of such acts.

My delegation wishes to call on all parties concerned in Kosovo to desist from taking any action that could further aggravate the situation and to take immediate steps aimed at bringing about an immediate end to violence and the genuine de-escalation of tension in Kosovo. Furthermore, we wish to remind all parties concerned of their responsibilities in accordance with resolution 1244 (1999), including in particular the obligation to ensure the safety and security of all international personnel.

Finally, I wish to reiterate my delegation's appreciation to Mr. Harri Holkeri, the Special Representative of the Secretary-General for Kosovo and chief of UNMIK, and to all United Nations and international personnel for their dedication and relentless efforts in the performance of their mission in Kosovo.

I would also like to extend my Government's most profound condolences to the families of the victims of this regrettable wave of violence.

The President (*spoke in French*): I thank the representative of Jordan for his kind words addressed to me.

The Minister for Foreign Affairs of Serbia and Montenegro would like to make another statement. I give him the floor.

Mr. Svilanovic (Serbia and Montenegro): Mr. President. I greatly appreciate the opportunity you are giving me to speak. I would like to brief the Council on several issues.

First, unfortunately the violence is continuing today. Attacks by Albanians have been continuing, and that is why we hope that our joint efforts today will bring us to concrete action that will stop those attacks.

I would also like to clarify one thing. There is no violent conflict between Albanians and Serbs at this moment. But it is a permanent violence of the Albanians against the Serbs, who are living there in small numbers. Five per cent of the people living in Kosovo now are Serbs. They live in enclaves, in villages or in several houses grouped within larger cities. They have been attacked in an attempt to ethnically cleanse Kosovo before we go to the implementation of standards, following the policy of "standards before status". And that must be stopped. In a couple of days it may be too late.

Also, attacks against international staff, as far as KFOR or United Nations troops or officers are concerned, are exclusively committed by Albanians. The international officers are only doing their jobs. They are trying to guard the people in villages or houses, and they have been attacked by Albanians. Furthermore, I would like to say that we stay committed to continue the dialogue that was launched in October in Vienna between Belgrade and Pristina. It might be more difficult today, but we are determined to fulfil our international commitments and obligations.

What we would like the Security Council to do is to try to find a mechanism that would also include our side in the joint efforts being made to implement the standards. We want to be part of the process of implementation, and we believe that the Council might be able to find a mechanism that would also include our side. We are not asking for veto power; we want to be part of a process.

Secondly, there will be an evaluation process that will see how far and how much the standards have been fulfilled and achieved. We want to be part of that evaluation process also. At certain points we will discuss that status and would appreciate if at that time all options would remain open and not be pre-defined.

I do not want to finish my statement without saying that we are very sorry for what happened in several cities in Serbia yesterday, particularly in Belgrade and Nis. I would also like to say that full control is in the hands of the Government, which has taken the upper hand in further protest demonstrations in order to be sure that there will be no violence.

I would also like to mention that in spite of the fact that those mosques have been burned — we are sorry for that and say that it might be that police action was not as accurate and decisive as it should be — there was not a single attack against Bosniacs or Albanians or people of other ethnic background among the incidents yesterday and the day before in Belgrade or other cities. That was not happening against minorities.

Finally, I would like to say that we remain supportive of every non-violent action, because we believe in the attitude of non-violence of the Security Council and all of us.

The immediate task is to bring more troops in order to prevent any further violence and then to continue the political process that has already been defined.

The President (*spoke in French*): I thank the Minister for Foreign Affairs of Serbia and Montenegro for his statement.

After consultation among members of the Security Council I have been authorized to make the following statement on behalf of the Council.

"The Security Council strongly condemns the large-scale inter-ethnic violence in Kosovo (Serbia and Montenegro) that began yesterday and in which many people have been killed and hundreds injured. It also strongly condemns the attacks on the troops of the Kosovo Force (KFOR) and the personnel and sites of the United Nations Interim Administration Mission in Kosovo (UNMIK). Such violence is unacceptable and must stop immediately. Those responsible must be brought to justice. The perpetrators must understand that an attack on the international presence is an attack on the international community as a whole and that extremism has no role in Kosovo's future.

"The Security Council calls on all communities in Kosovo, taking into account their respective responsibilities, to stop all acts of violence, to avoid further escalation and restore calm. The Council urges the parties to refrain from irresponsible and inflammatory statements and accusations. The Council reiterates that the population in Kosovo must employ peaceful, democratic means and work through the recognized and legitimate channels, including the United Nations and the Provisional Institutions of Self-Government (PISG) structures, to address their grievances. It stresses that legal investigations, in particular into the incidents involving the shooting of a Kosovo Serb teenager in Pristina and the deaths of three Kosovo Albanian children in Mitrovica, are under way by the authorities in Kosovo, and calls for a thorough investigations of all other incidents.

"The Security Council deplores the reported deaths and injuries among the population of Kosovo, as well as casualties among the Kosovo Police Service, UNMIK international civilian police, and KFOR troops. The Council extends its condolences to the families of all the victims.

"The Security Council reiterates the urgent need for the authorities in Kosovo to take effective steps to enforce the rule of law, ensure proper security for all ethnic communities and bring to justice all the perpetrators of criminal acts. The establishment of a multi-ethnic, tolerant, democratic society in a stable Kosovo remains the fundamental objective of the international community in implementing Security Council resolution 1244 (1999). The Security Council will closely monitor the

implementation by the parties of their obligations according to the 'Standards for Kosovo' document.

"The Security Council expresses its full support for the efforts of the Special Representative of the Secretary-General, UNMIK and KFOR, and welcomes that the international security presence is continuing to undertake additional measures, as deemed necessary, to stabilize the situation throughout Kosovo. It calls on the PISG, the authorities in Belgrade and all concerned to cooperate fully. The Council takes note of the joint statement of the Special Representative, PISG, political leaders and others of 17 March 2004."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/5.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.55 p.m.

United Nations S/PV.4929

Security Council

Fifty-ninth year

Provisional

4929th meeting

Tuesday, 23 March 2004, 5 p.m.

New York

President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Gatilov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 23 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2004/233)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-28046 (E)

The meeting was called to order at 5.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 23 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2004/233)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Bahrain, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Ireland, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Norway, Qatar, Saudi Arabia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representative of Israel took a seat at the Council table; the other aforementioned representatives took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): I should like to inform the Council that I have received a letter dated 23 March 2004 from the Permanent Observer of Palestine to the United Nations, to be issued as document S/2004/234, which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council being held today, Tuesday, 23 March 2004, regarding the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the meeting in accordance with the Council's provisional rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, the Permanent Observer of Palestine took a seat at the Council table.

The President (*spoke in French*): I should like to inform the Council that I have received a letter dated 23 March 2004 from the Permanent Representative of Algeria to the United Nations, which reads as follows:

> "In accordance with rule 39 of the provisional rules of procedure of the Security Council, I have the honour to request you to authorize His Excellency Mr. Yahya Mahmassani, Ambassador, Permanent Observer of the League of Arab States to the United Nations, to address the Council in the course of the open debate on the situation in the Middle East, including the Palestinian question, to be held on 23 March 2004."

That letter will be published as a document of the Security Council under the symbol S/2004/236.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to His Excellency Mr. Yahya Mahmassani.

There being no objection, it is so decided.

At the invitation of the President, Mr. Yahya Mahmassani took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): I should like to inform the Council that I have received a letter dated 23 March 2004 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the Middle East, including the Palestinian question, under rule 39

of the provisional rules of procedure of the Security Council."

In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

There being no objection, it is so decided.

At the invitation of the President, Mr. Paul Badji took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): The Security Council will now consider the item on its agenda.

The Council is meeting pursuant to the request presented in the letter dated 23 March 2004 addressed to the President of the Security Council by the Chargé d'affaires ad interim of the permanent mission of the Libyan Arab Jamahiriya to the United Nations, issued in document S/2004/233.

I wish to draw the attention of the members of the Council to document S/2004/231, which contains a letter dated 22 March 2004 from the Permanent Observer of Palestine.

I would now like to welcome the Secretary-General, Mr. Kofi Annan, to this meeting.

I now give the floor to the Permanent Observer of Palestine.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): Mr. President, allow me, at the outset, to extend my congratulations to you and your friendly country, France, for your presidency of the Council this month. I wish to pay tribute, at the same time, to the Permanent Representative of the People's Republic of China for his presidency of the Council last month. Allow me also to welcome the Secretary-General of the United Nations to this meeting.

At dawn, on 22 March, Palestine time, Israel, the occupying Power, committed a new war crime by assassinating Sheikh Ahmed Yassin. Israeli helicopter gunships shot three missiles at the spiritual leader of the Hamas movement after he finished his prayers in a mosque near his home. He was killed instantly, as were six other Palestinians. Afterwards, the Israeli Prime Minister, Mr. Ariel Sharon, made statements indicating that he personally supervised this mad and brutal assassination and that he will continue this policy. We strongly condemn this new Israeli crime and hold the occupying Power and the Israeli leadership legally and politically responsible for committing this crime, as well as responsible for any consequences this crime may entail.

We do, however, value the wide international condemnation of this crime. We also value the decisive calls made to Israel to refrain from perpetrating other extrajudicial executions and to commit themselves to the provisions of international humanitarian law. We value the readiness and the desire of the overwhelming majority of the members of the Security Council to take a clear position vis-à-vis what has happened, in accordance with the responsibilities of the Security Council and the United Nations Charter. Regretfully, the Council was not able to take an urgent position in the form of a presidential statement. We hope that the Council will be able, after taking more time to consider this, to adopt the draft resolution before you, which was submitted by the Arab Group. There is no doubt that this is a matter of the utmost importance.

In this context, and to emphasize the importance of the Council taking a clear and decisive decision, allow me to point to the statements made by Israeli officials, which highlight a general Israeli policy in this area that must be confronted and halted. Here, I should like to refer to statements made by three officials.

(*spoke in English*)

Mr. Shaul Mofaz said that other Hamas leaders would be targeted now that Israel had assassinated Hamas founder Sheikh Ahmed Yassin: "If we will continue, in a determined way, with our strikes against Hamas and other terror groups, with the means I outlined, including action against those leaders, we will bring more security to Israeli citizens."

Public Security Minister Tzachi Hanegbi said that no Palestinian "terror leader" was immune from an Israeli attack: "Anyone who is involved in the Gaza Strip or the West Bank or anywhere else in leading a terror group knows from yesterday there is no immunity. Everyone is in our sights."

Israeli Defence Forces Chief of Staff Moshe Ya'alon said that the responses of Palestinian Authority Chairman Yasser Arafat and Hizbullah chief Hassan Nasrallah to the assassination showed that "they understand that their turn is drawing near".

(*spoke in Arabic*)

Is anything crazier than that? Can the Security Council fail to adopt a clear position on this issue? We must compel Israel, the occupying Power, to respect international law. And that is precisely the heart of the matter: Israel is an outlaw State. It regularly violates the relevant provisions of the Charter of the United Nations, international law and international humanitarian law, including the Fourth Geneva Convention; it violates Security Council resolutions and other United Nations resolutions; it violates even the conventions it has signed.

Israel, the occupying Power, has occupied our territory for more than 36 years. It continues to colonize and illegally confiscate that territory. Israel has completely destroyed the life of our Palestinian people, deprived them of their national rights and violated all their human rights. Israel is an aggressive occupying Power, not a peaceful country that is defending itself. Israel's current policies are not designed to counter terrorism; in fact, they are one of the major reasons for the presence of terrorism in the Middle East and beyond.

The assassination of Sheikh Ahmed Yassin does not serve counter-terrorism efforts. We have stated repeatedly before the Council that Mr. Sharon's Government would like to continue the escalation of the conflict and that it has constantly worked to destroy everything that has been achieved, including the truce reached last year. Now, his Government has taken another major step in that direction by committing this crime.

Clearly, the Sharon Government believes that continuing the violence and the terrorism will excuse it from the responsibilities of implementing the road map — including putting an end to the occupation and accepting an independent Palestinian State — and it considers such violence and terrorism to be in the country's interests. We have reiterated before the Council that Mr. Sharon's Government does not want and will work to bury the road map, as it buried the Mitchell Committee's recommendations and other initiatives.

Mr. Sharon recently mentioned what he called unilateral disengagement in Gaza. A unilateral step, by its nature, cannot be part of the road map; disengagement, by its nature, cannot be part of a negotiated withdrawal; and Mr. Sharon, by his nature, will not voluntarily do something in the interests of the Palestinian people and in the interests of peace. That is probably the reason Sheikh Yassin was assassinated. If Mr. Sharon withdraws from Gaza, he wants to punish the Palestinian people by first making Gaza a huge prison, withdrawing only after causing maximum destruction and chaos in that poverty-stricken area. What is strange is that the Israeli Government wants something from certain parties in return for that step, perhaps in the form of acceptance of the expansionist wall it is building in the West Bank. What is even stranger is that certain parties who submitted the road map are considering giving Israel something in return for that step: the official destruction of the road map.

Despite all that, our land — all of it — will continue to be ours. Aside from Sharon's plans, any Israeli withdrawal will inevitably mean that we will shoulder our responsibilities. But it will also mean that there will be no bilateral commitment on the part of the Palestinian Authority, which means that we would have the freedom to ask for an appropriate international presence. In fact, such an international presence — as has been consistently shown — could create a different and positive situation in all the occupied Palestinian territories, including East Jerusalem.

Here, I should like to refer with grave concern to the occupying Power's continued building of the expansionist wall in the occupied Palestinian territory, including East Jerusalem, even after the matter was submitted to the International Court of Justice, at the request of the General Assembly, for an advisory opinion. The wall is seen as the greatest war crime of all. It destroys the life and the future of our people. It represents an illegitimate annexation, as a fait accompli, of large areas of our land, and it renders impractical and impossible any implementation of the two-State solution. The wall is the central issue for the Government of Mr. Sharon; halting its construction and destroying it is a major issue for the international community. We will push insistently and relentlessly for that, and we hope that the international community will respond.

We reiterate our condemnation of Sheikh Ahmed Yassin's assassination and our appeal to the Security Council to take the necessary action in that regard.

The President (*spoke in French*): I thank the observer of Palestine for the kind words he addressed to me.

I now give the floor to the representative of Israel.

Mr. Gillerman (Israel): At the outset, let me congratulate you, Sir, on your able conduct of the Security Council's work.

In three and a half years of Palestinian terrorist attacks that have murdered hundreds of innocent Israeli civilians and wounded thousands more, this Council has not met even once to express condemnation of a single attack. Not one resolution, not one presidential statement has been adopted by this Council to specifically denounce the deliberate massacre of our innocent civilians — not even two months ago, when 11 Israeli citizens were murdered in a horrific homicide bomb attack on a bus in central Jerusalem on 29 January. In the wake of our anguish, our efforts to elicit some response from the Council were not met even with a presidential statement.

And yet today, following a sad and familiar pattern, the Council convenes. Why? Not to condemn the terrorism, not to honour the memory of the hundreds murdered by it, but to come to the defence of one of its prime perpetrators, a godfather of terrorism. This is not a message of which the Council can be proud. Frankly, it is an outrage. It is the ultimate hypocrisy.

As long as we pretend that the response to terrorism is more serious than the terrorism itself, we only invite more of it. If we want to give the peace process a chance, the kind of terror that Sheikh Ahmed Yassin directed and perpetrated, and which he swore to continue relentlessly, cannot be appeased or assuaged. It must be defeated. It must be defeated not just for our sake, but for the sake of the whole free world.

Although the Security Council has never met to discuss the attacks for which Sheikh Yassin was responsible, the list is gruesome and shocking. To characterize him as a spiritual leader is tantamount to characterizing Osama bin Laden as a Mother Teresa. Underneath his supposed clerical garb, Sheikh Yassin was a true pioneer in the ruthless murder of innocents. Under his direct leadership, inspiration and instruction, Hamas — an organization recognized around the world for its brutal terrorism — perpetrated over 425 attacks that killed 377 Israelis and wounded 2,076 in less than three and a half years of violence. He stood at the head of a command and control structure dedicated to the destruction of Israel. If Sheikh Yassin was not an arch-terrorist, there is no such thing.

In my hand, I hold in front of the entire Security Council 187 pages documenting the horrific scope and extent of Hamas terrorism that has wreaked unspeakable anguish on the lives of the citizens of Israel. These are not just pieces of paper. They are filled with the names of real people — babies, children, women, men — with dreams and aspirations, whose lives were cut short and extinguished by Sheikh Yassin and the followers of his murderous ideology. I could be here until tomorrow reading the biographies of 11-month-old babies, of pregnant mothers and of others who were murdered viciously by this person.

Among 425 attacks perpetrated by Hamas since September 2000, the organization has perpetrated no less than 52 separate suicide attacks in which 288 Israelis have been murdered and 1,646 wounded. I will mention only a few of them to give members an idea of the evil this man represented and the horror the organization he headed has inflicted, while he proudly claimed responsibility. Yes, time and time again, while Israeli mothers were in excruciating pain, burying their babies, and widows mourned their husbands, Sheikh Yassin's gloating face appeared on every television screen, exalting the murderers as martyrs. What follows is just a short list of his bloody and gruesome record.

The 1 June 2001 suicide bombing of the Dolphinarium discotheque in Tel Aviv, in which 21 teenagers were murdered and 120 wounded when a Hamas terrorist blew himself up while standing in a large group of teenagers waiting to enter the club and dance the night away.

The 9 August 2001 suicide bombing of a Jerusalem restaurant in which 15 people were murdered and 130 wounded.

The 1 December 2001 double suicide bombing on the Ben Yehuda Street pedestrian mall in Jerusalem, in which 11 people were murdered and 188 wounded.

The 2 December 2001 suicide bombing of a number 16 bus in Haifa, in which 15 people were murdered and 40 wounded.

The 9 March 2002 suicide bombing of a Jerusalem cafe in which 11 people were murdered and 54 wounded.

The 27 March 2002 suicide bombing in the dining room of the Park Hotel in the coastal city of Netanya on the first night of Passover — on seder night — in which 30 people were murdered and 140 wounded.

The 18 June 2002 suicide bombing of the number 32A commuter bus in Jerusalem, in which 19 people were murdered and 74 wounded; the bus, which was completely destroyed, was carrying many students on their way to school.

The 4 August 2002 suicide bombing of the number 361 bus at Meron junction in which nine people were murdered and 50 wounded.

The 21 November 2002 suicide bombing of a number 20 bus in Jerusalem, in which 11 people were murdered and 50 wounded.

The 5 March 2003 suicide bombing of a number 37 bus in Haifa, in which 17 people were murdered and 53 wounded.

The 18 May 2003 suicide bombing of a number 6 bus in Jerusalem, in which 7 people were murdered and 20 wounded.

The 11 June 2003 suicide bombing of a number 14A bus in Jerusalem, in which 11 people were murdered and over 100 wounded.

The 19 August 2003 suicide bombing of a number 2 bus in Jerusalem, in which 23 people were murdered and over 130 wounded.

The 9 September 2003 suicide bombing of a hitchhiking post near the Israel Defence Forces base at Tzrifin, in which 9 soldiers were murdered and 10 wounded.

The 9 September 2003 suicide bombing of a Jerusalem cafe in which 7 people were murdered and 70 wounded.

The 29 January 2004 suicide bombing of a number 19 bus in Jerusalem, in which 11 people were murdered and 44 wounded.

And just last week, on 14 March 2004, at the Ashdod port, 10 people were murdered and 16 wounded.

This is the legacy of which Sheikh Yassin was proud. His hands were steeped in the blood of the innocent. Sheikh Yassin personally instigated and specifically authorized homicide attacks, encouraged individual men and women to become suicide bombers, ordered the firing of Qassam missile attacks against Israeli communities, coordinated joint activities with other terrorist organizations and collected funds for terrorist activity, campaigning throughout the Arab world to raise millions of dollars to improve Hamas terrorist capabilities.

Through his words he spawned an ideology of hatred, incitement and murder, glorified as martyrdom. In numerous public appearances, Sheikh Yassin called repeatedly for the intensification of the armed struggle against Israelis and Jews everywhere — and I quote, "everywhere". Just one day before the twin homicide attacks at Cafe Hillel in Jerusalem and the bus stop near Tzrifin on 8 September 2003, which claimed 17 lives, Sheikh Yassin called on Hamas to attack Israeli civilians without restraint, saying, "We will not limit the military command, battalions or factions." Indeed, he knew no limit.

Sheikh Yassin's murderous reach extended not only to the streets of Tel Aviv and Jerusalem but to our global streets. He was an arch-terrorist with international aims and international ties. He called for suicide attacks against American and British forces in Iraq and praised Osama bin Laden, wishing that Allah grant him the possibility of continuing his fight against the United States.

This is the man whom the Council is asked to defend. His victims were denied the attention of the Council. Will it now give that attention to the person who bears direct responsibility for their murder?

In comparative terms, the number of innocents deliberately murdered by Palestinian terrorists as of March 2004 is equivalent to 22,499 Russian citizens; 43,136 citizens of the United States, or 58,936 citizens of the European Union. Can there be any doubt as to what your countries would do, or in some cases are already doing or have already done, in the face of terrorism of this scale and magnitude? I ask those who have joined us today for this debate if they could sit quietly and wait for the next homicide bomber to appear on their doorstep?

By any reasonable standard of international law, Israel has a legitimate right, in fact a duty, to defend itself against those illegal combatants and their commanders, who are committed to murdering as many of its civilians as possible. The Palestinian leadership has proved beyond any doubt that it has no intention of

taking a single measure to fight terrorism, as it is legally and morally obliged to do. This mass murderer, Sheikh Yassin, lived and operated for years not just in freedom, but under the protective authority and in the safe haven of the Palestinian Authority, in violation of the most basic international norms. What would you have us do? Stand idly by as Yassin and the Palestinian leadership co-sign the death warrants of more innocent civilians?

It is the basic obligation of the Government of Israel — like that of any other Government — to protect the lives of its citizens from the threat of terrorism. Unlike the terrorists we confront, we make every effort, under excruciatingly difficult conditions, to minimize harm to civilians. We recognize that we have responsibilities. But we will not negotiate by day and bury our dead by night. By removing Sheikh Yassin from the international stage, we send a very strong message to the terrorists: "When you kill our civilians, you are not immune."

Yesterday's operation constitutes an important stride forward in our march against fundamentalist terrorism in our region, enabling a return to the peace process. Sheikh Yassin was one of the greatest obstacles to the cessation of hostilities and the renewal of negotiations — a roadblock on the road map to peace. Since he founded Hamas from the ranks of the Muslim Brotherhood organization in 1987, the organization has opposed peace talks with Israel and attempted to thwart every single peace initiative. So the question should not be, "Why now?" The question really should be, "Why not before?"

There cannot be peace and terror. There cannot be peace and Hamas. The road map explicitly requires the elimination of Hamas and other terrorist organizations; it calls for an end to funding and support for their efforts; it recognizes that peace is impossible while those messengers of death are allowed to flourish.

Israel remains committed to peace. We will persevere in the hope that a partner for peace will emerge, so that we can arrive at a political solution based upon the implementation of the road map. In the meantime, Prime Minister Sharon has announced plans for bold measures of disengagement that hold the potential for re-energizing the process.

The Palestinian leadership has a choice. It can continue to get into bed with terrorists and tyrants. It can continue its morally depraved strategy of murder and terror and, in so doing, continue to bring suffering and despair to the Israeli and Palestinian peoples alike. But it can also choose a different path. It can prove to the world that it is ready to assume responsibilities, not just assume privileges. It can show that it is ready to establish a democratic society that will respect the rights of its people and the rights of its neighbours, and not another terrorist dictatorship in the heart of the Middle East. Israel is ready, as it always has been, to be a partner to such a leadership.

The Security Council has a choice, too. It does not have to continue to send a message that puts the response to terrorism on trial, instead of terrorism itself. It does not have to pander to initiatives that defend the terrorist rather than the victim.

In the legacy of resolutions such as 242 (1967), 338 (1973) and 1373 (2001), the Council can also send another message — one of hope and of peace, one that does not pretend that this is a conflict in which one side has a monopoly on rights and on victimhood, one that rejects terror without compromise.

Which message will you send today to our region and to the rest of the world?

The President (*spoke in French*): I thank the representative of Israel for the kind words he addressed to me.

Mr. Baali (Algeria) (*spoke in Arabic*): Israel has committed a very grave crime. It has killed an elderly sheikh — a quadriplegic who was leaving a mosque in his wheelchair — and six other Palestinians. That crime, which cannot be justified and which was perpetrated in cold blood, in the middle of the day, was the result of a decision taken by the Prime Minister, who has indicated that he is proud of that decision. The representative of Israel has rudely boasted of that today before us in the Council. That act is undoubtedly a terrorist act and should be condemned.

By assassinating Sheikh Yassin, Israel has made clear that it has decided deliberately to escalate the violence and to turn its back on the peace process and on its historical responsibilities. Israel is aware that this brutal crime will bring the situation in the entire region to a boiling point. The resulting anger and rage will be translated into an escalation of acts of violence and other tragedies. Violence will soon be generated and intensified with death and suffering and will perhaps definitively bury a moribund peace process.

Just a few days ago, before the Council, I warned of the consequences of political assassinations and acts of terror by Israel and the tragedy that will take place if they are not brought quickly to an end.

The Council, unfortunately, has not been able to take any decision, and Israel has undoubtedly been comforted by this and is thereby encouraged in its impunity. Today it has proven its arrogance and contempt to which it has accustomed us by the killing of an old man and by affirming that it will continue to pursue its policy of assassination and terror against the Palestinian people. Furthermore, a very clear reference has been made today to President Arafat, the elected and legitimate President of the Palestinian people, who last year was considered an obstacle to be eliminated by the Israeli Government.

Algeria, which strongly condemns the assassination of Sheikh Yassin and his companions, believes that, while the entire world has denounced this bold crime, it is the Security Council's duty above all to ensure respect for international legitimacy and to maintain international peace and security by condemning this criminal act.

The Council cannot remain silent and passive. It must order Israel to immediately cease its policy of assassination and extrajudicial executions, to end its military operations against the civilian population and to comply with norms of international law and the Geneva Conventions, in order to maintain what remains to be preserved in occupied Palestine.

The Quartet must act, and act quickly, before it is too late and the region becomes completely engulfed in violence. Only a bold initiative on its part, taken at the appropriate political level, can save a peace process that Israel is always bent on derailing. We dare to hope that this will occur and that the worst will be avoided.

Sir Emyr Jones Parry (United Kingdom): I would like to associate myself with the statement to be delivered later by Ambassador Ryan on behalf of the European Union. Specifically, Foreign Ministers of the European Union yesterday condemned the extrajudicial killing of Hamas leader Sheikh Ahmed Yassin. They also stated

> "the European Union has repeatedly condemned the terrorist atrocities committed by Hamas, which have resulted in the deaths of hundreds of Israelis. The European Union recognizes Israel's right to protect its citizens against terrorist attacks. Israel is entitled to do this under international law. Israel is not, however, entitled to carry out extrajudicial killings."

The United Kingdom condemns yesterday's killings, as the Prime Minister and the Foreign Secretary made clear. Mr. Straw said yesterday,

> "All of us understand Israel's need to defend itself, and it is fully entitled to do that against the terrorism which affects it within international law, but it is not entitled to go in for this kind of unlawful killing, and we therefore condemn it. It is unacceptable, it is unjustified and it is very unlikely to achieve its objectives."

The United Kingdom has repeatedly and consistently condemned the many terrorist attacks against Israeli citizens, including those perpetrated by Hamas, Palestinian Islamic Jihad and Al-Aqsa Martyrs Brigade. Terrorists inflict huge suffering and loss. Their actions undermine the Palestinian cause. Let me make clear that no cause justifies resorting to terrorism, nor can it exonerate the terrorist.

Events every day underline that there is no military solution to the situation in the Middle East. Neither party will achieve its aims through the use of violence. We urge them both to exercise restraint and stop this escalating violence. The road map remains the right route to a just and lasting peace settlement. Both sides have so far failed to implement their obligations under the road map. Our focus should be getting this process back on track. A virtuous path of cooperation must replace the present vicious cycle of retaliatory violence. That is the message of hope addressed equally to both parties.

Mr. Akram (Pakistan): The Security Council is meeting today as the Middle East once again stands at the brink of another grave crisis. The rocket attacks of 22 March threaten to undo in one stroke the achievements of careful international diplomacy over many years. Sheikh Ahmed Yassin, a paraplegic in a wheelchair, was killed with eight other Palestinians. The spectre of a new cycle of violence haunts both the Palestinians and the Israelis. The peace process is in mortal danger.

The Security Council is meeting not to defend any ideology, nor the actions of any one individual. The Council is meeting to defend the principles of the

Charter and international law. The action by the Israeli armed forces is in complete violation of international law. There can be no justification for targeted assassinations and extrajudicial killings as an instrument of State policy.

This is also in direct conflict with Israel's obligations as the occupying Power under the Fourth Geneva Convention. The logic of self-defence cannot be extended to justify extrajudicial executions. Even suspected terrorists should be subject to the rule of law, especially by a country that prides itself as a democracy.

The Israeli action has understandably caused shock and indignation throughout the world. Pakistan joins those who have condemned this provocative action and expresses grave concern over its vital ramifications. The world community is justified in the fear that both the Palestinians and the Israelis are less secure today than they were on 21 March.

The prospect of more bloodshed and heightened violence is not the only likely consequence of this illegal action. The fragile peace process in the Middle East has been dealt a severe blow.

The Secretary-General has rightly noted that Sheikh Yassin's assassination "has complicated issues" and that it does not "facilitate the task of peace makers".

Inaction is not an option for the Council. The Council must pronounce itself on this issue. We must condemn this act and must call on Israel to disavow its policy of arbitrary assassinations. The killing of innocent civilians, whether in the occupied territories or in Israel, is a tragedy for the people involved, for the families involved and for the entire region. But let us all remember that the root cause of this violence is the continued Israeli occupation of the Palestinian territories. Violence can end — will end — when Israel withdraws from the occupied territories. Meanwhile, the Security Council must act to rein in all those who believe in unilateral and violent solutions and who in the process shatter the dreams of a life of peace, normalcy and freedom from fear for their own peoples.

We must do everything within our means to salvage the peace process. We must reassure the Palestinian people that the international community, and especially the Security Council, will make every effort to secure the full and equitable implementation of the Quartet's road map. In that context, we must secure assurances from the Government of Israel and from the members of the Quartet that the contemplated unilateral withdrawal from Gaza will constitute a part of the process of full and complete withdrawal from the occupied Palestinian territories, in accordance with the prescriptions of the road map and in faithful implementation of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

We must also ensure that the illegal separation wall being built by Israel on the West Bank does not lead to annexation of Palestinian territory and does not prejudge the final settlement.

It is only thus that we can protect the vision of two States, Israel and Palestine, living side by side in peace and security. It is only when there is a just peace in the holy land that there can be durable peace, stability, progress and prosperity in the wider region of the Middle East.

Mr. Muñoz (Chile) (*spoke in Spanish*): Chile's position on the Middle East conflict is based on strict adherence to the norms and principles of international law, in particular those relating to the peaceful settlement of disputes, the inadmissibility of the use or threat of use of force, good-faith fulfilment of international treaties and agreements, and full implementation of resolutions of the United Nations and its constituent organs. Here, we would underscore Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002).

Consistent with that commitment, my delegation condemns this act of violence: the assassination of Sheikh Ahmed Yassin and a number of companions. As we have stated in this Chamber, extrajudicial executions are reprehensible acts that constitute an assault on international law and that impede understanding between the parties. Together with the building of the separation wall, we increasingly see a political wall of separation is being erected between Israelis and Palestinians; this imperils the road map.

President Ricardo Lagos Escobar of Chile said today that the assassination of Sheikh Yassin "makes preserving the road map increasingly complex and difficult and obliges us to review what has happened and to give fresh impetus to the peace plan".

But I do not wish simply to condemn this assassination; I wish also to take this opportunity to

reaffirm our strong condemnation of Palestinian suicide attacks on Israeli targets, which have so often caused suffering among innocent civilians.

Any act of violence in the area is counterproductive in terms of achieving peace. Israel's legitimate right to safeguard its security must be exercised in conformity with international law. The excessive or disproportionate use of force cannot be justified. Israel should protect the safety and security of its citizens without harm to the human rights of Palestinians.

We urge the parties to do their utmost to help restore dialogue by genuinely fulfilling their commitments, including implementation of the road map, in order to attain peace and stability in a region in which two States, Israel and Palestine, should be able to live side by side within secure and recognized borders.

Mr. Gaspar Martins (Angola): Once again the Security Council is meeting to consider the critical situation in the Middle East, including the Palestinian question. Once again the circumstances in which we are meeting are those of pain and sorrow, with blind terror and violence taking the upper hand and jeopardizing all attempts to move forward with a meaningful peace process between Israelis and Palestinians. My delegation deeply regrets the prevailing situation, in which any signal of hope is immediately destroyed by terror, by policies of collective punishment and by revenge, in a never-ending cycle of death and terror.

We are all the more saddened and dismayed since both peoples, Israelis and Palestinians, are our friends; we would like to see them enjoy the benefits of peace and coexistence. Unfortunately, all the efforts that have been deployed over the years, bilaterally and multilaterally, have remained engulfed in a deadlock; this is a cause of great frustration and despair for the entire international community.

The most recent events in Palestine will surely contribute to worsening the situation. My delegation has stated time and again its total opposition to the extrajudicial killings occurring in Palestine, particularly of children. We express our deep regret at the events of recent days, which constitute the key reason why the Security Council has convened this special meeting.

Indeed, the killing of Sheikh Yassin will probably add to the frustration among Palestinians and encourage extremist elements to carry on with terrorist suicide bombings — something we all regret. We need to break the cycle of violence. In our view, an investment in peace by both Israelis and Palestinians would surely be more rewarding than such actions. That means abiding strictly by international law and meeting the just demand of the international community that the parties work together by implementing the road map, which the Council endorsed as the path away from the cycle of retaliatory violence.

We reiterate our conviction that terrorism and occupation are the factors that feed the conflict. They close every window of opportunity for peace and should be addressed by the parties with realism and determination. We call once again on Palestinians and Israelis to put an end to terror and occupation. We also call on them to avoid taking any steps that could escalate terrorism and violence and to abide by their obligations under international law. The framework for action to be undertaken by the parties leading to the peaceful resolution of the Palestinian-Israeli conflict exists and only requires courageous steps and taking risks for peace. The international community, for its part, must persevere in its efforts to bring the parties to the negotiating table.

Through the adoption of resolution 1515 (2003), the Security Council endorsed the road map and joined in the efforts of the Quartet in the search for a comprehensive peace settlement in the Middle East. In my delegation's view, at the present juncture the Security Council and the Quartet should renew their efforts, applying all political and diplomatic resources to push forward with the implementation of the road map. My delegation renews its appeal to the parties to take the risks for peace, to take the first steps envisaged by the road map and, by doing so, to create the necessary mutual confidence conducive to meaningful peaceful negotiations. Together with the international community, my country, Angola, is ready to do its part in the process and to help the parties to walk the road towards peace.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): The Russian Federation is deeply alarmed by the dangerous turn of events in the Palestinian territories. The lengthy Palestinian-Israeli conflict has cost thousands of lives. It has had a destabilizing

impact on the situation throughout the region. We once again earnestly emphasize the deleterious effect of unilateral steps leading to the further escalation of the tension stemming from an Israel military operation that resulted in the killing of the spiritual leader of Hamas, Ahmed Yassin. This situation has aroused serious concern. Israel has the right to self-defence and to protect its citizens, but this right must be implemented in accordance with international humanitarian norms.

Russia opposes the targeted killings of Palestinians, the practice of extrajudicial retaliation and the disproportionate use of force in densely populated areas. Russia condemns terrorism in all its forms and manifestations. The actions of extremists cannot be condoned. The Palestinian Authority must undertake vigorous measures to curb the terrorists so as to deter attacks on the civilian Israeli population.

We call on both parties to prevent a new wave of violence from wiping out the efforts to resume the negotiating process undertaken by the Quartet of international mediators and the key parties in the region. Only the joint work of Israel and the Palestinian Authority, using the road map as its platform, as adopted in Security Council resolution 1515 (2003), is capable of creating the necessary conditions for a lasting settlement of the conflict that can lead to the coexistence of two States, Israel and Palestine, within secure and recognized borders.

As an active participant in the Quartet of international mediators, Russia will continue to provide active assistance to the parties to put an end to their confrontation and establish a political dialogue so as to achieve a lasting settlement in the Middle East.

Mr. Wang Guangya (China) (*spoke in Chinese*): China opposes and condemns the assassination of Sheikh Yassin by Israel. The practice of targeted removal by Israel violates international law and is therefore unacceptable. We are in favour of a prompt and appropriate response by the Security Council, and in principle we agree with the draft presidential statement proposed by Algeria on behalf of the Arab States. We regret the Security Council's failure to reach consensus on that draft statement.

We have always held the view that the Middle East issue is extremely complex. Meeting violence with violence will not help matters. On the contrary, it can lead only to more violence and conflict and result in the further deterioration of the situation.

We are deeply worried about the potential impact that the assassination of Sheikh Yassin may have on the regional situation and on the Middle East peace process. China calls upon the various parties to exercise restraint under current circumstances, and to refrain from taking any actions that might further escalate the tension. At this critical juncture, the international community must work even harder and take effective measures to stabilize the situation and urge the Israeli and Palestinian sides to resume their peace talks as early as possible. The only effective way to achieve peace between Israel and Palestine is to seek a comprehensive solution through negotiation, based on relevant Security Council resolutions.

Mr. Baja (Philippines): The policy of the Philippine Government is to condemn unequivocally all extrajudicial executions committed by any party. Such actions are a despicable violation of human rights and contrary to international law. We are deeply disturbed by the recent escalation of violence in the Middle East which has continued the pattern of attack and reprisal. The condemnable killings of Hamas leader Sheikh Ahmed Yassin and six other Palestinians yesterday, as well as the related acts of terrorism on 14 March in the port of Ashdod, constitute specific elements in this deadly cycle. We are gravely concerned that, unless strong political will on all sides is exercised to curtail terrorism and violence, the path to peace will ultimately be doomed. Regrettably, the strong words this afternoon by the parties concerned have not contributed to the constructive exercise of such political will.

The Philippines has a strong interest in the stability of the region. It is a region that is host to about 1 million Filipino workers and their families. We are troubled by the wanton violence that we witness almost on a daily basis, particularly the deliberate targeting of civilians and the involvement of women and children in the conflict. The conflict cannot be allowed to proceed unabated without seriously imperilling the opportunities of future generations of Israelis and Palestinians to live in peace an harmony. We call on all sides to exercise restraint and to refrain from violence, which will further escalate the situation. We appeal to them to follow the path of peaceful negotiations to achieve the goal of two States, living side by side in peace and security, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002).

The conflict in the Middle East will never be resolved by violent means. Thus, we urge restarting the peace process established under the Quartet's road map, which the Council endorsed in resolution 1515 (2003). We ask the parties to fulfil their obligations under the road map to achieve a comprehensive, just and lasting peace in the Middle East.

Ms. Menéndez (Spain) (*spoke in Spanish*): My delegation associates itself with the statement that the representative of Ireland will make later on behalf of the European Union.

In this and other forums, my country has repeatedly and firmly opposed extrajudicial killings. Consequently, we express our rejection and our condemnation of the extrajudicial killing of Sheikh Ahmed Yassin and six other people, which took place yesterday.

As the ministerial Council of the European Union stated yesterday, 22 March, extrajudicial killings violate international law and undermine the concept of the rule of law, which is a fundamental idea and a basic principle in the fight against terrorism. First of all, events such as those of yesterday delegitimize the fight against terrorism in terms of the law. Secondly, they seriously aggravate an already explosive political situation, contributing to the spiral of violence.

My country has never been lukewarm in the fight against terrorism. We condemn terrorism regardless of its origin. We therefore unambiguously condemn the terrorist attacks perpetrated by Hamas, which have caused enormous suffering among the population of Israel. We reiterate that Israel has the right to defend itself and to protect its citizens from terrorism. However, it must exercise that right according to international law.

I wish to conclude as did the European Council, asking all sides to refrain from all acts of violence. Violence will only make even more remote the possibility of achieving peace and a just and lasting solution to the conflict in the Middle East. We continue to believe that the Quartet's road map is the best basis on which to reach such a solution.

Mr. Sardenberg (Brazil): Brazil is gravely concerned at the escalation of violence now taking place in the Middle East. During the last 30 days, more than 100 people have been killed, while many others have been wounded.

Brazil condemns the killing of the Hamas spiritual leader Sheikh Ahmed Yassin and six other Palestinians. We deplore all recent acts of violence, carried out in an attack-and-reprisal basis, opposing Israelis and Palestinians. All sides should exercise maximum restraint at this moment and resume as soon as possible negotiations based on the road map endorsed by Security Council resolution 1515 (2003). This regrettable escalation of violence cannot continue to jeopardize the process of peace in the region.

We believe that it is incumbent upon the Security Council to state its position regarding such an act that increases the risk of destabilizing the Middle East region.

Mr. Adechi (Benin) (*spoke in French*): All States Members of the United Nations subscribe to the rules and principles of democracy and the rule of law. They are also committed to respecting international law and humanitarian law. The extrajudicial killing of Sheikh Yassin is contrary to international law and undermines the resumption of the peace process in the region.

We believe that all States in all circumstances must act in keeping with international law, whose principal goal is to ensure peace among nations and to create a propitious framework for peaceful coexistence. That is why we are outraged that the parties, under the pressure of extremist and hard-line elements, seem to have deliberately chosen to use killing, the destruction of property and other attacks as a political tool. Terrorism or response to terrorism: in all cases, it means the death of innocent men, women and children, mostly innocent civilians. The road map has no future if the road is littered with corpses. One violation of the law does not justify another.

We condemn the assassination of Sheikh Ahmed Yassin and six other Palestinians. At the same time, we urge the Palestinian people to resist calls to vengeance and to keep open the path of peace.

It is essential that in this crisis the members of the Quartet fully shoulder their responsibilities by finding a way to bring the Palestinians and the Israelis back to the negotiating table. It is up to them to work to discourage escalation and confrontation.

The killing of innocent civilians in Israel and in the occupied territories must be condemned. The Palestinian territories must cease to be occupied. The right of Israel to live within secure and recognized

borders must be protected. The Council must appeal to all parties courageously to abide by their commitments.

Mr. Motoc (Romania) (*spoke in French*): I would first like to say that the delegation of Romania fully associates itself with the statement to be made by the Irish Presidency of the European Union. I will therefore be brief in my statement in my national capacity.

Romania is profoundly concerned at the current situation in the Middle East following the death of Hamas leader Sheikh Ahmed Yassin in a targeted operation by Israeli security forces. Yesterday, the Council of the European Union condemned that extrajudicial execution of the leader of Hamas and seven other Palestinians by Israeli forces. It also recalled its repeated condemnation of terrorist acts committed by Hamas.

We are facing an extremely dangerous situation that threatens to further aggravate the security situation in the region. Actions of this kind could imperil the efforts made thus far to relaunch the dialogue between the parties and to find a peaceful solution to the Middle East conflict.

We fully recognize the right of the State of Israel to defend itself and to ensure the security of its citizens against terrorist attacks, which have caused the death of hundreds of innocent people. Ending the cycle of violence, suppressing terrorism and dismantling its infrastructure remain top priorities. However, the perfectly legitimate fight against terrorism should not undermine efforts to arrive at a ceasefire and to create the necessary conditions for resuming negotiations.

At this particularly difficult moment, both parties must refrain from all violent actions, which only further inflame the situation, cause greater suffering and reduce all chances of regaining the path of peace.

Romania reaffirms its commitment to working with the parties and all other members of the international community to combat terrorism, while respecting the principles and the rules of international law. The implementation of the road map must be resumed without further ado. This settlement plan has been accepted by the parties, and it is the only one that offers an appropriate framework to reach, through negotiation and with the support of the international community, represented by the Quartet, a just and lasting solution based on the relevant resolutions of the Security Council and the vision of two States living together in peace and security within secure and internationally recognized borders.

Mr. Negroponte (United States of America): The killing of Sheikh Yassin has escalated tensions in Gaza and the greater Middle East and sets back our effort to resume progress towards peace.

However, events must be considered in their context, and as we consider the killing of Sheikh Yassin, we must keep in mind the facts. Sheikh Ahmed Yassin was the leader of a terrorist organization, one which has proudly taken credit for indiscriminate attacks against civilians, including, most recently, an attack last week in the port of Ashdod that left 10 Israelis dead. He preached hatred and glorified suicide bombings of buses, restaurants and cafes. Yassin was opposed to the existence of the State of Israel and actively sought to undermine a two-State solution in the Middle East.

The Security Council should not — and the United States will not — support initiatives which ignore this reality. The Security Council must not remain silent about the actions of a terrorist group that is dedicated to thwarting the Quartet road map, which the Council endorsed in resolution 1515 (2003). The Quartet envoys met yesterday in Cairo, and at this critical juncture the international community must remain focused on how to resume progress towards peace. There should be no detours. One-sided, unbalanced action by the Security Council can only detract from Quartet efforts.

The United States remains committed to President Bush's 24 June 2002 vision of two States. Working in tandem with our Quartet partners, we call on both sides to meet their responsibilities and obligations to fulfil the vision of two States, Israel and Palestine, living side by side in peace and security.

Mr. Pleuger (Germany): First of all, I would like to state that with regard to the latest development in the region, it is in my view both timely and necessary that the Security Council react vis-à-vis the situation in the Middle East. I therefore welcome the opportunity to share views in an open debate with Council members and with all other interested delegations. I would also like to point out that I associate myself with the statement to be made by the Irish Presidency of the European Union at a later stage in this meeting.

My Government is gravely concerned about the recent escalation of violence in the Middle East, especially with regard to the consequences of the targeted killing of Hamas leader Sheikh Ahmed Yassin and six other Palestinians in Gaza yesterday. Germany, along with the European Union, has always strongly opposed extrajudicial killings. They are, in my Government's view, unacceptable. Yesterday, the ministerial Council of the European Union stated unanimously and unequivocally the European Union's grave concern. The EU has repeatedly condemned the terrorist atrocities committed by Hamas, which have resulted in the deaths of hundreds of Israelis.

The EU recognizes Israel's right to protect its citizens against terrorist attacks. Israel is entitled to do this under international law. Israel is not, however, entitled to carry out extrajudicial killings. Furthermore, the assassination that was just carried out has inflamed the situation.

In this situation, it is of utmost importance to end the spiralling cycle of violence and counter-violence. Extrajudicial killings and terrorist suicide bombings must both stop. Violence is no substitute for political negotiations; only negotiations can lead to a just and lasting settlement based on the acceptance of both sides. My Government therefore calls on all sides to exercise restraint and to refrain from all acts of violence and terrorism, which will not only lead to more bloodshed, but will make a peaceful settlement of the Israeli-Palestinian conflict ever more difficult.

As difficult as it may be, given the circumstances, we must not let the recent surge in violence permit us to lose sight of the road map. The road map is the relevant document for peace in the region. There is no alternative to a just and lasting resolution of the Israeli-Palestinian conflict based on the two-State solution and leading to an Israeli State and a Palestinian State existing side by side in peace and security.

The President (*spoke in French*): I will now make a statement in my capacity as representative of France.

First, I would like to say that we fully associate ourselves with the statement to be made by the Presidency of the European Union.

France condemns the action conducted against Sheikh Ahmed Yassin, which has caused the death of 10 Palestinians, as France has always condemned the principle of any extrajudicial execution as contrary to international law. The practice of extrajudicial executions violates the fundamental principles of the rule of law, without which no just and effective policy is possible, including within the context of combating terrorism. This practice by the Israeli armed forces must stop.

In addition to the fact that it was illegal, yesterday's attack could be counter-productive at the political level. It could exacerbate tension in the occupied Palestinian territories and throughout the region. It threatens efforts made in recent months to obtain a ceasefire from the Palestinian movements. It can only lead to a radicalization of the Palestinian population, and beyond that, of the populations of the Near and Middle East. France is extremely concerned about the risk of a further worsening of the situation and calls upon all parties to exercise the greatest restraint in the face of this latest blow dealt to recent efforts for a resumption of the political process.

France recognizes the imprescriptable right of Israel to security, to defend itself and to combat terrorist attacks, which are totally reprehensible, morally repugnant and cannot be justified by any means. France systematically condemns suicide bombings and other terrorist attacks committed against Israeli civilians by armed Palestinian groups, in particular by Hamas. However, the fight against terrorism must be waged in compliance with the law. Its effectiveness depends on its legitimate, credible and just nature.

Israel's security and that of its citizens requires peace. Violence, which has killed more than 3,200 Palestinians and more than 900 Israelis since the end of September 2000, cannot be a solution. Everything should be done to save the road map and, along with it, the possibility of a just, negotiated settlement based on the principles enshrined in Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) and the principle of land for peace. There is no alternative to renewed implementation of the road map, which remains the only settlement plan agreed by both sides and endorsed by the international community. Political dialogue and the political process must resume. France reaffirms its conviction that only a just and negotiated solution leading to the end of the 1967 occupation and to the creation of an independent, viable, peaceful and sovereign Palestinian State, living

side by side with Israel, will give Israel the security to which all Israelis are entitled.

France calls upon the parties to immediately meet their reciprocal and parallel obligations under the road map. The first step is to renounce violence. The Palestinian Authority must implement security reforms and ensure that its security machinery is centralized under a single authority. It must take the steps necessary to dismantle terrorist infrastructures, to prevent new attacks and to ensure that perpetrators of terrorist acts are brought to justice. The international community is prepared to help the Palestinians to meet their obligations.

The Government of Israel must meet its obligations as the occupying Power under the Fourth Geneva Convention. The Israeli authorities must stop building the separation barrier, which encroaches on Palestinian territories occupied since 1967; halt the colonization policy, including in East Jerusalem; and take the steps necessary to improve the humanitarian and economic situation of the Palestinian people, particularly by putting an end to blockages and impediments to the circulation of goods and people.

France is convinced that it is only through collective action that the international community — particularly through the Quartet — can play an essential role in helping to bring about a just solution that is acceptable to both sides. We must emerge from the current impasse and put an end to the cycle of hatred and vengeance. We have the collective duty to act to help the parties take the risk of peace. The stakes are even higher, given that the settlement of the Israeli-Palestinian conflict is an essential condition for the Middle East to find stability and to be able to commit itself to the path of reform and modernization.

I now resume my functions as President of the Security Council.

As a measure to optimize the use of our time in order to allow as many delegations as possible to take the floor, I shall not individually invite speakers to take seats at the table and invite them to resume their seats on the side. When a speaker is taking the floor, the Conference Officer will seat the next speaker on the list at the table.

The next speaker inscribed on my list is the representative of the Libyan Arab Jamahiriya.

Mr. Own (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the outset, I should like to thank you, Mr. President, for responding to our request to convene this meeting. I congratulate you on assuming the presidency of the Security Council for this month. I also thank the representative of China for his efforts in leading the Council during the month of February.

The Israeli occupation has committed another crime, which can be added to the record of its heinous crimes against innocent, unarmed Palestinian civilians — barbaric crimes, committed indiscriminately. Yesterday morning, the Israeli terrorist war machine assassinated Sheikh Ahmed Yassin and a number of his colleagues. The murder of this paralysed, defenceless, elderly man is yet further evidence that the Government of Mr. Sharon is experiencing a moral crisis that daily prompts it to deliberately violate the most basic human rights and to completely disregard human dignity in a way that is utterly unprecedented in the international community.

My country, as it denounces this atrocious crime and the other crimes being committed daily against the Palestinian people, holds Sharon's Government responsible for the consequences of those crimes and the genocide being carried out against the Palestinian people. It calls upon the international community to shoulder its legal and moral responsibility to put an end to the atrocious crimes to which the Palestinian people are being subjected.

The Israelis' announcement that their Prime Minister personally and directly supervised the assassination and the fact that he congratulated the military establishment on having successfully carried out that terrorist operation is yet more evidence of the nature of the Israeli Government and of its Prime Minister, because it reveals their intransigence and pride in perpetrating acts of terrorism and assassination. However, that is to be expected from Sharon, who has been responsible for past massacres committed in Sabra and Shatila.

It is now clear to the entire international community that Israel does not want peace and is taking advantage of every opportunity to abort any initiative in that regard. It has obstinately and consistently refused to implement any of the relevant resolutions adopted by the Security Council, the most recent of which was resolution 1515 (2003), adopted on 19 November 2003, which contained the

quadripartite initiative of the road map, whose ultimate aim was to provide a solution to the Palestinian problem. Israel is trying to exploit the circumstances that have prevailed since the events of 11 September 2001. It has been trying to link terrorism with the struggle of the Palestinian people, who are actually defending their land against the Israeli occupation and exercising the right guaranteed by all international laws and charters.

If Israel truly wishes to live in peace, all it needs to do is to withdraw from the occupied Palestinian and other Arab territories and to put an end to the atrocious practices being carried out against the Palestinian people. Continuing the occupation, strengthening its grip on the Palestinian people, establishing settlements, annexing Palestinian lands by force and building a separation wall will never bring peace to Israel, because the Palestinian people will not accept this fait accompli and will forge ahead with their struggle to obtain their legitimate rights and to establish their national homeland with its capital in Jerusalem. If that does not happen, Israel will be held fully responsible for continuing the cycle of violence and instability, not only in the occupied territories, but also in the rest of the Middle East and perhaps in other parts of the world.

My country calls upon the Security Council to fully shoulder its responsibilities and to take the measures necessary to force Israel to implement the relevant international resolutions and to return to negotiations with the Palestinian Authority and the other Arab parties concerned in order to find a just solution that will guarantee the rights of those parties and will return peace and stability to this explosive part of the world.

My country supports the draft resolution submitted by the Arab Group. We call upon all members to adopt it so that we can avoid a repetition of such criminal acts, break the cycle of violence and counter-violence, enable wisdom to prevail and resume negotiations to reach a just and comprehensive solution to this issue.

The President (*spoke in French*): I call on the representative of Egypt.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): Egypt has expressed with utmost clarity its unequivocal condemnation and total rejection of the reprehensible operation undertaken by Israel in its extrajudicial assassination of Sheikh Ahmed Yassin. Egypt has made clear its opinion that this was both an illegal and an irresponsible act that failed to foresee its own dire consequences and that may point to the emergence of some very dangerous trends in the policies of the Israeli Government. The Security Council must therefore shoulder its responsibilities by condemning this act, which reveals not only Israel's irresponsibility, but also its miscalculation of the salient issues, the dire and destructive consequences of which will emerge in the days to come.

It is no secret to anyone that this Israeli act is but one in a series of measures consistently seeking to thwart any effort towards peace, particularly when the process shows any sign, howsoever insignificant, of forward movement. Yesterday, the Government of Israel demonstrated yet again that, in taking such measures, it is pursuing an approach that runs counter to humanitarian and international law. It also claims that such actions are taken in legitimate self-defence, as if the international community were irrelevant or non-existent and as if we were not all aware that they represent an attempt to end the resistance to the occupation that holds the Palestinian people in its ever-tightening grip.

The international reaction in capitals throughout the world has been unanimous in its condemnation of this act and in calling for the immediate cessation of similar crimes, which contravene the United Nations Charter and all international norms and laws. The Government of Israel's resort to such violence and illegal assassination threatens the principles of the United Nations and humanity that we strove to endorse and to enforce throughout the twentieth century, as exemplified, inter alia, in the establishment of this Security Council. The current Israeli approach would restore relations among States and nations to the law of the jungle, in which might is right and authority supersedes principle.

The situation is truly grave. Members present in this Chamber should never forget that the Arabs, the Palestinians, the Islamic nation and those of true faith who exalt the noble principles of humanitarianism throughout the world are watching how the Council addresses this tragic situation. It should do so in a manner that reflects its condemnation and rejection of such a path. Our Council should send a message through its assumption of a clear and resolute stance against this shameless act that calls for the immediate

cessation of all such inhuman violations of the rights of the Palestinian people. The Council should also stand firm in the face of all acts of violence and murder that threaten innocent civilians on both sides.

The President (*spoke in French*): I call on the representative of Yemen.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): I thank you, Sir, for convening this meeting to address the grave situation with respect to the murder of the martyr Sheikh Ahmed Yassin. Furthermore, I express the thanks of the delegation of the Republic of Yemen for your work within the Council and for the wise policy being pursued by the friendly French Republic. I also thank your predecessor, the Permanent representative of China.

The request of the Group of Arab States to convene this meeting reflects the desire and will of the Arab people that the United Nations and the Security Council fully assume their responsibilities and play their full role in the maintenance of international peace and security. In conveying this to the Security Council, the Arab delegations are clearly demonstrating their respect for international legality and the role of the Organization, despite Israel's flagrant flouting of the resolutions of the international community and the arrogant assumption of its leaders that they are above international law.

We must condemn the criminal act carried out yesterday by the Government of Mr. Sharon. We have heard the unanimous reaction of countries against that barbarous assassination. We believe, first, that it is a flagrant violation of international law and human morality and that, secondly, it undermines any remaining possibility of reaching a peaceful solution in the Middle East in the framework of the road map, a central aim of the Israeli Government.

The martyr Sheikh Yassin was one of the most important symbols of the Palestinian people's struggle against occupation. The demonstrations of unanimous condemnation of the assassination in the streets of Palestine and throughout the Arab world reflect that belief. Israel knows better than anyone that the assassination of Sheikh Yassin and Palestinian leaders can only lead to further bloodshed and chaos and undermine opportunities to achieve peace. We feel that that is precisely what the leaders of Likud want. They are blinding themselves to the truth in their pursuit of their objectives, while the international community and the Security Council are putting out the fires and seeking to ease the ever-worsening tensions in the region.

The Palestinian resistance groups have not attacked the territories of others or occupied them by force. They have not waged war or aggression against others, but have sought heroically to defend their own lands and people against injustice. Their defence of their land was recognized by the laws of God before being recognized by the laws of humankind and international law. We cannot allow the cycle of violence to continue, because we would thereby be laying the foundations of a world in which violence reigns.

As European leaders have noted, how, in the face of Israel's policy of assassination and destruction of the Palestinian people and its murder of Sheikh Yassin, can we speak of peace and the road map? We should ask ourselves how, given the ongoing aggression on the part of Israel, we can harbour hope for a secure Middle East in which its peoples can work for human development and for the preservation of justice?

Today we are witnessing a global condemnation of this criminal act and of the policy of extrajudicial killings. In the context of the provisions of international law, we have to stress more than ever the role of the International Criminal Court.

No right-thinking person could fail to support the just struggle of the Palestinian people to free themselves from occupation and to establish an independent State. The Republic of Yemen has always been, and will always be, on the side of that people, which is fighting to put an end to occupation and terrorism, wherever it may take place. Today we reiterate even more strongly that we are on the side of that people and of those movements and organizations.

We call on the members of the Council to adopt a resolution that would protect the Palestinians from the policy of liquidation and assassination that is causing them to suffer on a daily basis.

The President (*spoke in French*): The next speaker on my list is the representative of Qatar, on whom I now call.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): Israel's insistence on the use of excessive force against the Palestinian people in its perpetration of numerous acts, which have reached the level of organized State crime

and extrajudicial killings, represents a violation of the fundamental rights of the civilians living under its occupation.

Israeli helicopters in Gaza yesterday assassinated the martyr Sheikh Ahmed Yassin, the spiritual leader of the Islamic resistance movement Hamas, along with at least nine of his followers. Fifteen people were also injured, five of them very gravely.

The State of Qatar denounces this heinous crime because it is convinced that Israel's repression of and violence against the Palestinian people runs counter to all the teachings of the revealed religions and all humanitarian values. This represents a great challenge and a violation of all international agreements, internationally binding resolutions and the principles of international law. Such acts are, in reality, an attempt on the part of Israel to draw the whole region into a cycle of violence and counter-violence and thereby eliminate any chance of achieving peace.

The continual assassination attempts carried out by the Government of Israel confirm the fact that Israel is not, in fact, seeking peace. There is no doubt that a clear-cut plan exists for the escalation of the situation, which would lead to negative consequences.

We would like to reaffirm in this connection that Israel, the occupying Power, is responsible for this continuous cycle of violence. Its forces continue to launch attacks against Palestinian civilians in the Gaza Strip and in the occupied Palestinian territories. Over the past few months, a large number of Palestinian civilians, including women and children, have been killed at the hands of the occupation forces, and hundreds of others have been injured. Hundreds of houses have been destroyed as well as large expanses of agricultural land. Restrictions have been imposed on the free movement of persons and commodities. Israel, in short, has continued with its settlement activities and has established a separation wall in the occupied Palestinian territories, which includes even parts of Holy Jerusalem.

The assassination of a Palestinian icon cannot actually lead to the elimination of Palestinian rights. It will only increase the Palestinian people's insistence on their rights and on forcing Israel to implement the provisions of international law.

The State of Qatar has faith in peaceful solutions. It believes that violence and counter-violence are not likely to lead to any peaceful solution but to an escalation of aggression, thereby giving rise to an extremely explosive and dangerous situation in the entire region, fuelled by violence and hatred. Of course, civilians would be the victims of this situation. This would also destroy any chance for peace and increase extremism and terrorism in the region, instead of supporting the peace process and negotiations as the only means of establishing a just and comprehensive peace in the Middle East based on international legitimacy — a peace that would guarantee the legitimate rights of the Palestinian people and ensure stability, security and peaceful coexistence for the peoples of the region.

We call upon all peace-loving forces to mobilize in order to address the dangerous situation in the area and to try to provide international protection for the Palestinian people and their leadership. We would like to reaffirm in this connection that the State of Qatar rejects the killing of innocent civilians of whatever religion, anywhere and at any time.

In this connection, we call on the international community to play a major and effective role and to avoid the use of any double standard, as has happened in other parts of the world, in order to put an end to the ongoing massacre in the occupied Palestinian territories. We call on them to ensure that all rights are restored to the Palestinian people.

However, we must express our sorrow, because we cannot catch any glimpse of hope that would make us believe that the international community will in fact play such a role. In that connection, we call on the Security Council, given that it is the highest authority in the United Nations system, to ensure the safeguarding of international peace and security in accordance with the principles and provisions of the Charter of the United Nations, the principle of the supremacy of law, and the need to respect human rights and to ensure peaceful coexistence and the renunciation of policies of force, domination, violence, extremism and terrorism and any terrorist practices, including State terrorism. We stress the need for the peaceful settlement of international disputes in order to ensure security for all.

We reiterate our call on the United States, which is a sponsor of peace, to continue to work towards positive results that would guarantee the establishment of peace.

In conclusion, I would like to express our condolences to the Palestinian leadership and people and to the Arab and the Islamic nations, as well as to the family of the martyr Sheikh Ahmed Yassin and to the families of the other martyrs who have fallen victim to this aggression.

Let me reiterate that the State of Qatar fully supports the Palestinian people in their just struggle to regain their legitimate rights and to achieve national independence, including the right to self-determination and the establishment of an independent State on their national territory, with Holy Jerusalem as its capital.

The President (*spoke in French*): The next speaker on my list is the representative of Japan, to whom I give the floor.

Mr. Haraguchi (Japan): The killing of Sheikh Ahmed Yassin, the spiritual leader of Hamas, by Israeli forces was committed recklessly, with no consideration of the consequences that would follow. It is an act that cannot be justified. It has seriously harmed the Middle East peace process. Japan condemns the killing of Sheikh Yassin.

Since the beginning of March, it seems that the vicious circle, in which violence begets even greater violence, has again commenced in this region. We fear that the killing of Sheikh Yassin may provoke serious retaliation and result in an overall escalation of the conflict. Therefore, the situation must be regarded as extremely serious. We are also concerned that the negative impact of the incident may not be contained within the context of the Israeli-Palestine conflict, but may spread to a broader geographical area. To prevent this incident from further fuelling the negative chain reaction between hatred and violence, we urge Israel to take effective measures immediately to calm the situation, while exercising maximum self-restraint.

For the progress of peace, there is no choice for the two parties but to ultimately overcome their anger and loss of trust of each other so that they may sit together at the negotiation table. We earnestly call upon the leaders of both Israel and Palestine to show courageous leadership by redirecting themselves promptly toward peace through negotiation and resuming the implementation of the road map, in order to realize as early as possible the vision of two States living side by side in peace.

The President (*spoke in French*): I call on Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States.

Mr. Mahmassani (League of Arab States) (*spoke in Arabic*): Allow me, Mr. President, to congratulate you on your assumption of the presidency of the Security Council and on your wise and competent guidance of its deliberations, which has become your hallmark. I also wish to pay a tribute to your predecessor's conduct of the Council's affairs last month.

Israel continues to violate international law and international humanitarian law. This is evident in the series of acts of aggression against and killing of the Palestinian people, without accountability or deterrence. This has been confirmed by the criminal act committed by the Israeli occupation authorities in Gaza on the morning of 22 March, which led to the killing of Sheikh Ahmad Yassin and his comrades. We strongly condemn that heinous crime.

The development of events since September 2000 in the occupied Palestinian territories, including East Jerusalem, shows us that every time we begin to discern signs of understanding or that attempts are made to reach an understanding to enforce and realize peace in the Middle East, we find that Israel commits an act of aggression that totally erodes any glimpse of hope and undermines any attempt to achieve peace and security in the region. The daily crimes committed by the Israeli occupation forces against the Palestinian people, the killing, the destruction and the oppression perpetrated by the Israeli forces in violation of the 1949 Fourth Geneva Convention on the Protection of Civilian Persons in Time of War and the Council's failure to put an end to such acts are totally unjustifiable. How can the Security Council remain silent about these crimes?

Israel's ongoing targeting of Palestinian leaders, the illegal extrajudicial killings and the continued establishment of the separation wall and settlements in the occupied Palestinian territories, including East Jerusalem, are aimed at aborting the entire peace process. They are aimed at creating a fait accompli that will bring the Arab-Israeli conflict to a grave turning point, the consequences of which could affect the entire Middle East region as well as international and regional peace and security at large.

The Security Council, which is entrusted with the maintenance of international peace and security, is called upon to assume its responsibility today, in accordance with the Charter, to protect the Palestinian people, to put an end to the hostile Israeli policy in the region and to establish the independent State of Palestine.

The core of the Arab-Israeli conflict is the continued occupation by Israel of Arab and Palestinian territories. Attempts by Israel to divert attention by framing this conflict in the context of fighting terrorism is a failed, naïve and ridiculous attempt that will not be believed by anyone. The occupation is the core of the problem and the logic of the military option, pursued by the Government of Israel to impose the logic of force on the Arab-Israeli conflict, has already proven futile. It has only led to the deterioration of the situation and to further killing and destruction. Continuation of this policy would only exacerbate the situation in the region and definitely result in dire consequences for international peace and security.

We call upon the Security Council to adopt a decisive position in keeping with the Charter which will compel Israel to agree to retreat from its policy of occupation, the establishment of settlements and the bringing in of more settlers, and to give up the military option and extrajudicial killing. It should force Israel to resume participation in the negotiation process, which will lead to the realization of just peace and security in the Middle East, in accordance with resolutions of international legitimacy, the Arab Peace Initiative and the principle of land for peace.

Mr. Almansoor (Bahrain) (*spoke in Arabic*): Allow me at the outset to congratulate you, Mr. President, on your assumption of the presidency of the Council for this month. We are confident that, through your wisdom, the Council's deliberations will be crowned with success. I wish to avail myself of this opportunity to express my delegation's appreciation to your predecessor, His Excellency the Permanent Representative of China, for the excellent manner in which he presided over the Council's deliberations throughout the past month.

The crime of assassination carried out by the Israeli army, which targeted Sheikh Ahmed Yassin, is an act of terror that falls within the context of systematic terrorist acts perpetrated by Israel aimed at assassinating the Palestinian leadership. The Kingdom of Bahrain strongly denounces and condemns this heinous crime perpetrated yesterday by the Israeli occupation forces that led to the assassination of Sheikh Ahmed Yassin, the leader of the Islamic resistance movement, and some individuals who were accompanying him.

The planning and the implementation of this dastardly crime by Israel proves beyond any doubt Israel's flagrant violation of all international resolutions and the principles of international law and international humanitarian standards. This crime is a stark example of the State terror systematically perpetrated by the Israeli Government. It is evidence of the extent to which Israel has gone unchecked in its violation of international law and international humanitarian law.

That action by Israel will further escalate the violence that has engulfed the occupied Palestinian territories. It will drag the region towards further instability and could kill any prospects for peace and security for the peoples and the countries of the region. The timing of the operation clearly shows Israel's rejection of any initiative aimed at realizing a just and comprehensive peace in the region. Such initiatives have been endorsed by the Arab States with a view to putting an end to occupation and to establishing an independent Palestinian State, with its capital in Jerusalem.

The Kingdom of Bahrain would like once again to reaffirm its solidarity with the Palestinian people and its leadership in their legitimate struggle to recover their inalienable rights. The Kingdom appeals to the international community and to the Quartet to shoulder their responsibility towards the region. The Kingdom stresses the need for international protection for the Palestinian people and its leadership so as to shelter them from the tyranny of Israel and its military machine.

The President (*spoke in French*): The next speaker is the representative of Ireland, on whom I now call.

Mr. Ryan (Ireland): I have the honour to speak on behalf of the European Union (EU). The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, the countries of the Stabilization

and Association Process and potential candidates Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Serbia and Montenegro, and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, align themselves with this statement.

The European Union condemns the extrajudicial killing of Hamas leader Sheikh Ahmed Yassin and seven other Palestinians by Israeli forces yesterday. The European Union has consistently opposed extrajudicial killings. Not only are extrajudicial killings contrary to international law, they undermine the concept of the rule of law, which is a key element in the fight against terrorism.

The European Union has repeatedly condemned the terrorist atrocities committed by Hamas, which have resulted in the deaths of hundreds of Israelis. The EU recognizes Israel's right to protect its citizens against terrorist attacks. Israel is entitled to do this under international law. Israel is not, however, entitled to carry out extrajudicial killings. Furthermore, the assassination which has just been carried out has inflamed the situation. The European Union calls on all sides to exercise restraint and to refrain from acts of violence, which will lead only to more deaths and will put a peaceful settlement still further from reach.

Violence is no substitute for the political negotiations which are necessary for a just and lasting settlement. The Quartet road map remains the basis for reaching such a settlement.

The President (*spoke in French*): The next speaker is the representative of Jordan, on whom I now call.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): As the Security Council meets to discuss the grave crime committed by Israel under the direct supervision of its highest government authorities against Sheikh Ahmed Yassin in Gaza yesterday, I would like to express my Government's strong condemnation of that assassination. That act makes clear the brutal nature of Israel's policy of organized assassinations and extrajudicial killings. That murder will lead only to an escalation of violence and to the deterioration of conditions in the occupied Palestinian territories. Furthermore, it is a threat to the security and stability of the region as a whole.

We call upon Israel to cease its inflammatory policies and to work to achieve calm and to maintain stability. At the same time, we call upon the Council to assume its responsibilities and provide the Palestinian population under occupation with the protection it needs, in accordance with the Fourth Geneva Convention.

The President (*spoke in French*): The next speaker is the representative of Tunisia, on whom I now call.

Mr. Hachani (Tunisia) (*spoke in Arabic*): I would like first of all to thank you, Mr. President, for your rapid and positive response to the request for the convening of this urgent meeting to discuss the most recent serious events in the Middle East. I would also like to take this opportunity to say how much we welcome the skilful way in which you are conducting the work of the Security Council this month.

At a time when the international community is stepping up its efforts at all levels with a view to reviving the peace process in Middle East and to restoring confidence among both parties, we were shocked that the Israeli security forces should have perpetrated yet another crime. Its target this time was one of the most important Palestinian leaders, Sheikh Ahmed Yassin, leader of the Hamas movement.

Tunisia was distressed when it learned of that assassination, and we express our condemnation of that crime, which will further escalate the violence, increase tension, impede the efforts for peace and undermine the possibilities for negotiation.

Tunisia calls upon the international community, in particular the Security Council, to assume its responsibilities in this situation, which represents a threat to international peace and security, to work swiftly and resolutely to resolve the situation and to deploy all necessary efforts to give priority to the logic of peace. We also renew the appeal of the President of the Republic of Tunisia made during the Arab Summit held at Cairo in 2000 for urgent international protection for the Palestinian people through the interposition of international forces.

The President (*spoke in French*): The next speaker is the representative of Indonesia, on whom I now call.

Mr. Atiyanto (Indonesia): The delegation of Indonesia was appalled to learn of the assassination by

Israel on 22 March 2004 of the leader of Hamas, Sheikh Ahmed Yassin. That attack led, even more sadly, to the deaths of eight others, and we strongly condemn it.

In our view, Israel's policy of targeted assassinations is not only illegal under international law, but it cannot guarantee peace. If Israel's objective is peace, if peace is the jewel that Israel seeks through the often brutal deployment of the Israel Defense Forces in the occupied Palestinian territory, if peace is the reward for which Israel hunts in its construction of the separation wall, then the methods of the Government of Israel are unlikely to yield any of those dreams.

My delegation is convinced that the militaristic approach of the Government of Israel does not favour the Government of Israel. The strategy has yielded only the further return of violence. Consequently, it is easy to see that this strategy is not in the interest of the ordinary people of Israel, who are in the front line of revenge attacks.

My delegation calls on Israel to recognize that its future is best served by returning to the negotiating table with the Palestinians. We call on Israel to recognize that peace has a far better chance through dialogue than through military force. We call on Israel to recognize that peace has a far better chance through the support of the international community — available through the implementation of the road map — than in the language of bullets and bulldozers. Israel must immediately terminate the practice of the extrajudicial killings of Palestinians and return in good faith to negotiations. Only such an approach can lead to peace and a just and comprehensive settlement, as anticipated in the road map.

The President (*spoke in French*): I now give the floor to the representative of Kuwait.

Ms. Al-Mulla (Kuwait) (*spoke in Arabic*): On behalf of my Government, I congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month. I also pay tribute to the efforts of your predecessor, our friend, the representative of China, for his wise leadership of the Council's work last month.

I also take this opportunity to thank the Council for its prompt response to the Arab Group's request to convene this meeting to discuss the heinous crime committed by the Israeli Government in assassinating Sheikh Ahmed Yassin and others. That deplorable action was one of a series of assassinations targeting the Palestinian people and their national icons. It is a policy pursued by a Government that is said to be seeking peace and not violence, and which claims to be a Government of peace, not a Government of war. We denounce this immoral and criminal act perpetrated by a country that is a party to the 1949 Fourth Geneva Convention.

Kuwait strongly condemns the terrorist operation perpetrated by the Israeli Government at dawn on Monday, which caused the death of Sheikh Ahmed Yassin and seven others. The Israeli military establishment was not content to launch one rocket; it launched two more. That operation was a crime that revealed once again the barbarity of the Israeli occupation, which has mercilessly assassinated an old man while he was leaving, after his dawn prayers, the mosque where he prayed every day.

Kuwait once again extends its condolences to the family of the victim, his colleagues and the brotherly Palestinian people.

Kuwait considers the assassination of Sheikh Ahmed Yassin to be an atrocious war crime, to be added to the list of crimes committed against humanity by Israel, in violation of the principles of international law and in complete disregard of its commitments under the Fourth Geneva Convention. Israel is also disregarding the position of the international community, which has consistently denounced the policy of assassinations and extrajudicial killings pursued by Israel and its other policies of aggression carried out against Palestinian civilians in the occupied territories.

Kuwait fully supports the statement issued by the Gulf Cooperation Council in which it denounced this heinous crime, which clearly exemplifies Israel's policy of State terrorism. Kuwait joins those who have stressed the need for providing international protection to the Palestinian people.

Kuwait calls upon the Security Council to assume its responsibilities, to condemn this crime and to adopt the necessary measures to force the Israeli Government to put an end to its illegal practices and policies. The Council should prompt Israel to respect the resolutions adopted in accordance with international law and put an end to Israel's efforts to undermine international

efforts to achieve a just and comprehensive peace based on the relevant resolutions of the Security Council, in particular resolutions 242 (1967), 338 (1973) and 1397 (2002), as well as the Arab peace initiative and the principle of land for peace. The Council should also call upon Israel to withdraw fully from all occupied Arab territories, including the Syrian Golan Heights and the Lebanese territories.

In conclusion, I wish to underline the fact that Kuwait has always supported the demands of the Palestinian people, in particular the right to self-determination and the right to establish an independent State on its own land, with Al-Quds as its capital.

We call upon the Israeli Government to listen for once to the voice of reason and to renounce its policies of provocation, which create more tension, provoke hatred and lead to violence and extremism in the region. Instead, it should courageously seek peace, which would require an end to the occupation, and enter a dialogue through negotiations, rather than employ a policy of killings, ongoing destruction and the violation of the resolutions of the international community.

Israel's continuation of its policies prompts us to wonder about the outcome of international efforts to combat terrorism at a time when Israel is deliberately and openly practising State terrorism before the eyes of the entire world, without any intention of ending the bloodshed.

The President (*spoke in French*): I now give the floor to Mr. Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Badji (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*spoke in French*): First, I offer you, Sir, my most respectful greetings and heartfelt congratulations on your assumption of the presidency of the Security Council for the month of March. I am convinced that under your enlightened guidance, the Security Council will successfully conclude its deliberations.

I take this opportunity also to congratulate your predecessor, Ambassador Wang Guangya, Permanent Representative of the People's Republic of China, on the outstanding manner in which he presided over the work of the Council during the month of February.

I am grateful to you, Mr. President, and to the other members of the Council for this opportunity to address this body for the first time as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. But I regret that this privilege has been granted to me to participate in the Council's important debate on a matter of such gravity: the situation in the Middle East, including the Palestinian question, and in particular the tragic assassination of Sheikh Ahmed Yassin, spiritual leader of Hamas, and of his relatives and companions. This was premeditated murder carried out according to a cold-blooded plan decided upon by the Israeli Cabinet.

It is regrettable that today, instead of assessing progress in the Israel-Palestine peace process, the Council must consider this tragic turn of events in the occupied Palestinian territories. In a climate of deteriorating trust between the two protagonists, Israel has exacerbated an already volatile situation by assassinating the spiritual leader of Hamas, Sheikh Ahmed Yassin. The international community has expressed its indignation, and many voices have been raised in condemnation of this irresponsible act, which violates international law and which will probably revive Palestinian frustration and anger.

Consistent with its practice and in the face of this mounting danger, the Committee on the Exercise of the Inalienable Rights of the Palestinian People condemns extrajudicial executions and deadly attacks against innocent Palestinians: acts that poison the political climate in the region and push back the prospect of a just and lasting settlement of the Palestinian problem.

The Committee endorses the call by a number of world leaders who have publicly appealed to the conscience of all men and all women to refuse to be apathetic witnesses to the destruction of the Palestinian people. Here, the Committee demands again that the Israeli Government immediately put an end to the untold suffering that is the daily lot of the Palestinians, and to return to the Palestinians their land, by putting an end to curfews and by dismantling barriers and the separation wall. The Committee further demands an immediate end to the siege laid against the Palestinian Authority and its President, Yasser Arafat.

Finally, the Committee appeals to the wisdom of the Security Council and requests it to join the international community in expressing unequivocal condemnation of the assassinations that have plunged

Palestine and the rest of the Middle East into mourning, and to act to cause Israel to renounce its policy of denying the Palestinian people their inalienable rights.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People urges both parties to refrain from any action that could exacerbate an already bad situation, and calls on the Quartet to exert all its influence to expedite the long-awaited implementation of the road map, which is the only viable option to ensure security for both parties and thus to guarantee lasting peace in a stable Middle East at peace within itself.

The President (*spoke in French*): I call next on the representative of Saudi Arabia.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): I am gratified to begin by congratulating you, Sir, on your assumption of the presidency of the Security Council for this month. I wish you the best as you guide the work of the Council to a successful conclusion. I wish also to thank your predecessor, the Permanent Representative of China, for his distinguished work as President of the Council for the month of February.

Hardly a day passes without our reading about the sanctity of the rule of law and its importance in civilized societies. Israel claims to be a State based on the rule of law, but we have seen that it is a State marked by hostility to international law and the norms of human society. The assassination of Sheikh Ahmed Yassin and his companions as they left a Gaza City mosque was one link in a chain of terrorist acts doggedly carried out by the Israeli Government, targeting and mercilessly assassinating Palestinian activists.

Today, international relations are in a very grave situation because of the precedence being granted to the logic of force over law, and because of the lack of respect for international norms. This has led to total disregard for the norms of justice, to the consecration of the law of the jungle, to the adoption of double standards in political affairs, to the complete distortion of the norms of international law and to utterly strange interpretations of those norms. This gives rise to flawed, baseless explanations regarding the concept of self-defence as set out in the Charter. Such interpretations do not accord with opinions handed down by the International Court of Justice with regard to the fundamental principles of that right and the conditions under which it can be used by States collectively or individually to defend themselves.

This principle is a key law of international relations, but it has been misused in an attempt to justify acts of aggression by the Israeli Government, which has no hesitation in carrying out its policy of killing, displacing or impoverishing the Palestinian people in full view of the entire world and in flagrant violation of international law and the principles of international humanitarian law and the Fourth Geneva Convention of 1949 and its two Additional Protocols of 1977. All of this has distorted the principle of the self-determination of peoples and their right to resist occupation and to defend their sovereignty and territorial integrity, long consecrated in the United Nations Charter and since confirmed by resolutions and decisions of the General Assembly and by opinions of the International Court of Justice.

The policy of prevarication and deception pursued by the Government of Israel, to which the majority of peace-loving Member States object, cannot be accepted or used as a way to settle international problems by means of armed forces, by bombarding with fighter jets and by attacking with missiles. We should seek solutions through commitment to the principles of international law and justice.

International efforts to fight terrorism, no matter how effective, will not be able to eradicate that dangerous phenomenon without addressing its root causes and the conditions that lead to its prevalence. Those efforts will not succeed while the situation of people under occupation continues to deteriorate and the international community fails to find a just solution to occupation. The spiral of violence will not end as long as the international community fails to combine international political initiatives with serious work and as long as the Security Council remains unable to condemn Israeli terrorism. As long as there is occupation, there will be resistance.

The Kingdom of Saudi Arabia expresses its grave concern and sadness over the situation in the occupied Palestinian territories that results from the continued Israeli crimes against the Palestinian people and the assassination of the martyred Sheikh Ahmed Yassin. That was a senseless act of aggression, which aimed first and foremost at killing international efforts to revive the peace process in the Middle East.

The Kingdom of Saudi Arabia would like to associate itself with the international community in condemning this criminal act that runs counter to all international law and international humanitarian law. We call upon the international community, as represented by the Security Council, to share and shoulder the responsibility vis-à-vis the situation in the occupied Arab territories and the Palestinian territories. The Council should shoulder its responsibility towards the Palestinian people by providing international protection and by putting an end to the senseless Israeli policy and its oppression of the Palestinian people. That oppression will only lead to a further deterioration of the situation and will be an impediment to any attempt to put an end to the bloody conflict in the region.

The President (*spoke in French*): I now give the floor to the representative of the United Arab Emirates.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): Mr. President, allow me to first of all congratulate you on assuming the presidency of the Security Council for this month. We have full confidence in your ability to wisely steer the work of the Council. We would also like to thank your predecessor, the Chinese Ambassador, on his presidency of the Council. We also want to thank you for convening this emergency open meeting of the Council at such a delicate time when we urgently need the political will of the international community to end the brutal and immoral practices carried out by the Israeli occupying forces against the helpless Palestinian people in defiance of international law.

The United Arab Emirates was shocked, along with the rest of the world, by the assassination yesterday morning of Sheikh Ahmed Yassin, founder of the Islamic resistance movement Hamas, as he left a mosque, by means of rockets fired from an Israeli helicopter. We firmly condemn this cowardly killing, which targeted an elderly, helpless and disabled man. We believe that that butchery is flagrant evidence of the policy of State terrorism systematically carried out by the Israeli Government against the Palestinian people. Even more serious, the Israeli Prime Minister, Ariel Sharon, personally directed the extrajudicial killing of Sheikh Yassin from his office. This is evidence that the Israeli Government rejects peace and all initiatives to achieve a just and lasting peace in the Middle East, to end the occupation and to establish an independent Palestinian State with Jerusalem as its capital.

This is not the first time that Israel has resorted to State terrorism. From September 2000 until the beginning of this month, the Israeli army has killed 2,858 civilians — men, women and children — in addition to destroying property and hundreds of homes. The fact that Israel is continuing this policy of terror and extrajudicial killings not only constitutes a contradiction of international law and basic human rights, but also undermines the rule of law, which is the cornerstone of the fight against terrorism.

The United Arab Emirates believes that this criminal act of assassinating Sheikh Yassin and his companions is further evidence of the Israeli Government's contempt for international law and the divine Shariah. It also shows that Israel is determined to increase tension in the region and undermine all efforts for peace supported by the Secretary-General and many world leaders. Therefore, we call upon the international community and the major countries to condemn this operation, to work promptly to put an end to the continued Israeli attacks against Palestinians and to offer the latter guarantees of protection.

We reaffirm that Israel must withdraw from all the territories it occupied in 1967 and implement all international resolutions on the question of Palestine. We also insist that the international community face up to its responsibilities with respect to the future of the Palestinian people and compel Israel to return to the peace process on the basis of the Arab peace initiative and the road map in order to establish two independent States, Palestine and Israel, living side by side in peace and security.

We hope that this meeting will not conclude as always with the mere repetition of condemnation. The Council must face up to its responsibilities and mandates to preserve peace and security in the world and must adopt the necessary measures to immediately dissuade the Israeli Government from its hostile practices in order not to endanger international peace and security.

The President (*spoke in French*): I now give the floor to the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): Mr. President, allow me first of all to thank you for convening this open meeting of the Security

Council to denounce the crime perpetrated by the Israeli Government in the early morning hours of yesterday that claimed the life of Sheikh Ahmed Yassin and six other Palestinians who had been praying in the mosque after dawn.

That Israeli terrorist operation, which constitutes a war crime, is a continuation of the policy of assassination and killings that is perpetrated by the Government of Israel against the Palestinian people in flagrant defiance and stark violation of the resolutions of international legitimacy and the principles of international humanitarian law. The Syrian leadership condemned this evil crime and stressed that the acts by the Israeli Government when it assassinated Sheikh Ahmed Yassin represent a heinous crime that took place in the context of other acts of killing and destruction by Israel against the Palestinian people. It represents a grave escalation of the volatile situation in the region.

The Syrian Government emphasized that — regardless of the pretexts put forth by the Sharon Government — the international community should condemn, in all political and humanitarian forums, that Government's policy of murder, destruction and violation of international law and should work seriously to put an end to that policy. The Syrian spokesman's statement also stressed that the deliberate murder of a disabled Palestinian political leader is the epitome of the policy of terror pursued by Israel — which targets Palestinian civilians, a defenceless people labouring under the yoke of occupation — an authority, armed with blind power, that continues to defy international law and divine teachings.

The boast by the Israeli head of Government that he directly supervised the perpetration of this crime proves what we have said time and again before the Council: the practice of terrorism is an official Israeli policy that should be challenged and condemned in the context of combating international terrorism. The spectacle of the Israeli Prime Minister and his Cabinet members celebrating in a toast the Israeli fighter pilots' success in assassinating a disabled, wheelchair-bound, elderly man who was barely able to see or hear was truly nauseating.

However, that should not distract our attention from its proper focus: the path pursued by the Israeli Government, which has spared no effort to undermine every international attempt to pacify the situation in the Middle East and to create conditions for a resumption of the peace process with a view to the restoration of the Palestinians' inalienable rights, the establishment of a State on their territories and Israel's withdrawal from Syrian and Lebanese territory, in accordance with resolutions 242 (1967) and 338 (1973) and the Arab initiative.

On the basis of humanitarian, ethical, political, strategic and security criteria, we believe that the Israeli head of Government's perpetration of the crime of assassinating Sheikh Ahmed Yassin cannot be justified — let alone taken lightly — whatever its motives or its repercussions. Israel's commission of that crime proves yet again that the Israeli Government will use any flimsy pretext to provoke the Palestinians and to suppress their aspirations to freedom and justice. All these events prove that Israel's crimes of assassination and its building of the expansionist wall to achieve an illusory Israeli "security" will not produce the desired result. The Israeli Prime Minister might use excuses to justify this and many other heinous crimes, but the fact before us — which no one can deny — is that these events have only one cause: Israel's continued occupation of Arab and Palestinian territories and its rejection of every effort to arrive at a just and comprehensive solution to the Middle East problem.

We followed the discussions in the Council yesterday and today on a statement that would condemn the heinous Israeli crime. It is truly regrettable that the Council has failed thus far to adopt a position in that regard. The fact that the Arab Group has turned to the Security Council is an expression of our Group's commitment to international legitimacy. We emphasize that the Council's continued silence on the Israeli practices will only lead to further violence, killing and destruction in our region.

We therefore appeal to the Security Council to shoulder its responsibility and to condemn the crime of assassinating Sheikh Ahmed Yassin — a crime that has already been condemned by the international community. We also call upon the Council to fulfil its role in the maintenance of international peace and security and to adopt all measures to force Israel to respect international legitimacy and the relevant Security Council resolutions as a prelude to moving forward with a resumption of the Middle East peace process so that we can find a just and comprehensive

solution that will put an end to occupation and will guarantee security for all.

The President (*spoke in French*): I now give the floor to the representative of Cuba.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): The delegation of Cuba vigorously condemns the most recent targeted assassination committed by Israel, the occupying Power, which claimed the lives of Sheikh Ahmed Yassin and other Palestinians as they were leaving a mosque in Gaza. The State terrorism employed by Israel with modern, lethal weapons of war knows no boundaries; it must be condemned and must cease.

This new extrajudicial execution adds to Israel's long history of aggression, violations of the most basic human rights and physical and psychological harm to the Palestinian people. Included among those reprehensible practices are illegal settlements, house demolitions, arbitrary arrests, torture, premeditated extrajudicial executions and the building of a separation wall on Palestinian lands. In addition, the Palestinian economy has been suffocated, while Yasser Arafat — legitimate President of the Palestinian Authority — is kept in confinement.

Despite the appeals of the international community, the crisis in the Palestinian territories continues to worsen, while the number of dead and injured — the vast majority of them innocent civilians — rises. According to information provided recently by the Secretariat on the loss of human life caused by this conflict, approximately 4,200 people have died since September 2000. Of those, nearly 3,300 are Palestinians, which constitutes one of the most massive, flagrant and systematic violations of human rights in the world today.

The delegation of Cuba reaffirms the need to respect international humanitarian law, including the Fourth Geneva Convention of 12 August 1949, relative to the protection of civilian persons in time of war. Cuba reaffirms its full support for the cause of the Arab peoples — particularly the Palestinian people — against Israeli occupation and aggression, and we express our deep solidarity with their resistance and rebellion.

At the same time, Cuba expresses its condemnation of the suicide bomb attacks and other acts directed against Israeli civilians — innocent victims of the spiral of violence brought about by their Government's policy — while we oppose the manipulation of such isolated acts to call into question the exercise of legitimate self-defence by the Palestinian people and to justify both targeted and large-scale actions against the Palestinian population.

Violence and the use of force cannot lead to the solution that the world awaits to a conflict that could have been resolved many years ago if the Security Council had acted decisively. In the case of the Palestinian question, there is clearly a double standard at work in the Council. Practically half the number of times that the United States has exercised its veto in the Security Council — 39 times — it has done so in relation to the Middle East question. Twenty-seven such vetoes were directly linked to the situation in the Palestinian territories under illegal Israeli occupation. This does not even include the constant threats of veto that have prevented the adoption of a considerable number of draft resolutions which were either not brought to the vote or had been significantly watered down.

In order to move towards a just solution to the Palestinian problem, the United States must immediately suspend its financial support for aggression and its provision of military supplies to Israel, which include tanks, helicopters, missiles and aircraft used against civilians. The deliberate extrajudicial killings carried out by Israel not only claim lives, but also dispel any hope for progress towards a long-awaited peace.

There can be no just and lasting peace in the Middle East until the Israeli occupation ends; until the Palestinian people exercise their legitimate right to establish an independent State, with its capital in East Jerusalem; until all the occupied Arab territories are returned and Israel withdraws from Gaza, the West Bank and the Syrian Golan to the line of 4 June 1967; until Israeli provocations in southern Lebanon end; until the guaranteed return of Palestinian refugees; and until the elimination of the illegal Israeli settlements, in accordance with Security Council resolution 465 (1980).

The President (*spoke in French*): I call on the representative of Lebanon.

Mr. Kronfol (Lebanon) (*spoke in French*): Allow me at the outset, Sir, to congratulate you on your assumption of your high post at the helm of the

Security Council. We offer you our trust that your guidance will lead to the success of the Council's work. I take this opportunity also to thank the Permanent Representative of China, who presided over the Council last month in such an effective manner.

(*spoke in Arabic*)

The gravity of the situation that necessitated a request for the convening of the Security Council today lies in the outcries and unprecedented suffering caused throughout the Arab world, the Islamic nation and every corner of the globe by the heinous criminal assassination of Sheikh Ahmed Yassin and six other Palestinians as they were leaving a mosque after early morning prayers in Gaza City, which has been languishing since 1967 under occupation and other illegal Israeli measures.

The gravity of the situation lies in the fact that the martyr was a spiritual leader — an old man, disabled and wheelchair-bound, visually and hearing impaired, and able to communicate only through gestures and a weak voice.

The gravity of the situation lies in the fact that this was a premeditated, deliberate crime undertaken by various apparatuses of the occupying State employing intelligence, fighter planes and missiles pooled for the perpetration of yet another criminal act. While some may wish to mask it under a mantle of legitimacy and present it as a natural and permissible act, it remains an extrajudicial killing.

The gravity of the situation lies in the fact that, only hours after it was reported, the Palestinian people rose up as one like someone whose very conscience, beliefs and humanity had been assaulted. The gravity of the situation also lies in the fact that, as of early yesterday morning, the peoples and Governments of the world denounced the crime, which contravenes the law — international law in particular — and the Israeli authorities who perpetrated it. Those who expressed their anger over the crime included the European Union and the States of Africa, Asia, America and the Caribbean. Not a single State Member of the United Nations failed to express in one way or another its regret, concern and anger over the crime. The Secretary-General personally denounced such assassinations.

What is strange, however, is the fact that, following such international denunciation of the crime, the head of the Israeli Government, the occupying Power, appeared on the world's television screens to take open responsibility for ordering the criminal assassination. Absurdly, his conscience has not been affected by the gravity of the crime.

My Government expects the Security Council to rise to the challenge posed by the situation to international humanitarian law. The Council should express its solidarity with the Palestinian people, which for decades has struggled for its freedom, independence and the withdrawal of the Israeli army from its lands. We call for a condemnation of the extrajudicial killing and acts of aggression against the population of the occupied territories; for an expression of support for the legitimate demands of the Palestinian people, which aspires to establish its independent State on its national territories, including East Jerusalem; for a request to Israel to end all forms of violence to suppress the desire of the entire Palestinian people for freedom; for a demand that Israel respect international humanitarian law and the Fourth Geneva Convention of 1949; and for respect for the efforts made towards peace in various international forums, in particular those stipulated in the road map developed by the United Nations and other members of the Quartet.

The Council's assumption of all its responsibilities would allow for the creation of an atmosphere conducive to ending the violence and to resuming the settlement process in a peaceful manner, whereby Israel would withdraw from all the occupied Arab territories in accordance with the relevant resolutions of the Council and on the basis of the decisions of the Madrid conference and the principle of land for peace, referenced in the Arab peace initiative adopted in Beirut in 2002.

Israel's policies are aimed at the assassination of Palestinian leaders and at the destruction of its symbols. But the assassination of Sheikh Ahmed Yassin will give rise to a new generation of resistance fighters struggling for freedom and independence.

The President (*spoke in French*): The next speaker on my list is the representative of South Africa, to whom I give the floor.

Mr. Kumalo (South Africa): The South African Government has condemned the assassination of Hamas founder and spiritual leader Sheikh Ahmed Yassin and of six other Palestinians outside a mosque in Gaza City, Palestine, yesterday. Such extrajudicial

assassinations are in contravention of international law and relevant United Nations conventions and serve only to strengthen those who are against peace in the Middle East.

South Africa has also condemned the suicide attacks in Ashdod last week, in which 10 Israelis were killed.

We believe that the indiscriminate killings of Israelis and Palestinians serve only to fuel the cycle of violence and counter-violence in the Middle East.

For a long time now, the Security Council has been aware that it has been the policy of the Israeli Government to carry out extrajudicial killings and other violent actions that are in direct contravention of international law and relevant United Nations conventions. The time has come for the Security Council to exercise its responsibility to uphold international law under the Charter of the United Nations and to condemn these atrocities. My delegation believes that this urgent meeting offers the Security Council an opportunity to break its silence and to take a stand against this dangerous practice before it is too late.

We believe that we have every right to expect the Security Council, and even the Quartet, for that matter, to bring their full influence to bear on the parties to cease all acts that could further erode any progress being made in the implementation of the road map. There is general agreement that the two-State solution — the establishment of the State of Palestine, living in peace and security with the State of Israel — is the answer to the violence in the Middle East. The Security Council must pursue that objective with full determination.

Furthermore, the Security Council has to accept that we are not dealing with two parties of equal strength and with equal control over their respective populations. The Government of Israel makes formal decisions regarding the use of disproportionate force against people in the occupied Palestinian territories, including Jerusalem, and should be held accountable for its actions. The Palestinian Authority has been deliberately and systematically weakened by Israel, which has also imprisoned its democratically elected leader. As it is, the Palestinian Authority is on the verge of bankruptcy due to the collapse of the Palestinian economy brought about by Israel's closure policy, including the relentless construction of the illegal separation wall.

It should therefore come as no surprise that, in these dire conditions, extremism has taken root among a small sector of the Palestinian population. South Africa has always condemned extremism, whether on the Palestinian side or the Israeli side, as it does not contribute to peace in the Middle East. We therefore call on the Israeli Government and the relevant Palestinian groups to show restraint and not to provide a pretext on which further acts of violence and destruction will be carried out.

The United Nations and the international community must act decisively to create the conditions in which the vision of a two-State solution can be realized. Continuing Israeli occupation, the destruction of infrastructure, collective punishment and extrajudicial assassinations will make it hard to achieve peace. The South African Government reiterates that the only way to bring about peace in the Middle East is to have a comprehensive and unconditional negotiated settlement to end the occupation of the Palestinian, Syrian and Lebanese territories. This will contribute to the achievement of peace and security throughout the Middle East region.

The President (*spoke in French*): The next speaker on my list is the representative of the Islamic Republic of Iran, on whom I now call.

Mr. Zarif (Islamic Republic of Iran): Let me begin by congratulating you, Sir, on your assumption of the presidency of the Council and by thanking you for having convened this public meeting on the grave situation in the occupied Palestinian territories. I cannot fail to express my appreciation to your predecessor, the Permanent Representative of China, for his able and effective leadership of the Council last month.

Once again the Council has convened to debate yet another atrocious crime perpetrated by a regime that has tried to continue its illegal occupation by resorting to State terrorism and war crimes against the people under its brutal control — a people who, in turn, have been left with no option other than resistance. In their latest cowardly act of State terrorism, the Israeli forces cold-blcodedly murdered Sheikh Ahmed Yassin, an elderly spiritual leader confined to a wheelchair. The real reason for such a cruel act was the fact that the Sheikh was an inspiration for the resistance against

occupation. He was neither involved in nor in control of the resistance — a phenomenon that is caused by the occupation itself and not by any individual or group.

Israel, and especially the head of the Israeli regime, who publicly boasted of planning this crime and having it carried out under his personal command, has on its record yet another serious violation of the Fourth Geneva Convention, amounting to another crime against humanity. But in doing so, he once again made clear that, in fact, they have never been prepared to work towards peace in the region, for fear that any peace would presuppose the restoration of the basic rights of the Palestinians. It is not possible that, intent on preparing for and committing this crime, they did not know what its consequences would be. It is not possible that they did not know that this would be the onset of a new cycle of violence of the kind they have repeatedly, and indeed intentionally, provoked over the past several years.

In the aftermath of the barbaric terrorist act in Madrid, and at a time when the international community needs to pull together with a view effectively to combating global terrorism, the Israeli occupation and the criminal acts to support it, including extrajudicial killings, undermine the rule of law and cooperation among nations which are committed to fighting terrorism. There is no doubt that what Israel did, and has vowed to keep on doing in future, was a bonanza for terrorists such as those who perpetrated the Madrid crime, enabling them, unfortunately, to become further strengthened.

Extrajudicial killings and targeted assassinations, coupled with other Israeli war crimes and acts of State terrorism such as the construction of the expansionist wall, the wanton destruction of homes, infrastructure and agricultural land, the detention and imprisonment of thousands of Palestinians, and the imposition of collective punishment on the entire Palestinian population can only render the situation in the region ever more tense and explosive.

The assassination of Sheikh Ahmed Yassin is a flagrant violation, a flagrant crime, which has created more instability and may plunge the region into another round of violence. It was a deliberate attempt to torpedo any attempt to bring peace to the region.

We strongly condemn this latest Israeli criminal act, and we believe that there is an absolute need for the international community to heavily weigh in and prevent Israel from carrying out its nefarious designs against the Palestinians, which will further jeopardize peace and security in the whole region. This Council, especially, bears the heaviest responsibility and should act with a view to preventing Israel from continuing to flout the will of the international community as reflected in numerous United Nations resolutions.

Therefore, it is very sad that the Council could not reach an agreement on the text of a presidential statement condemning the Israeli crime because of only one delegation preventing the Council from pronouncing itself on such an important issue relating to international peace and security in one of the most important and sensitive regions. We hope that all members of the Council recognize the need for taking decisive action in the face of the new tension in the region and will not choose to allow the further paralysis of the Council and the erosion of its authority as a result of its failing to address the grave situation created in the wake of the assassination of Sheikh Ahmed Yassin.

The President (*spoke in French*): I call on the representative of Norway.

Mr. Løvald (Norway): My delegation aligns itself with the statement made earlier by the Presidency of the European Union.

In addition, I should like to state the following. Norway condemns the killing yesterday of Hamas leader Sheikh Ahmed Yassin. This act will lead to greater tension in the area and will impede the implementation of the road map for peace and Israel's withdrawal from Gaza. We realize that Hamas has been responsible for a number of terrorist operations, which we have deeply deplored. That does not, however, justify extrajudicial killings such as the one we have just seen.

That recent killing has created an extremely dangerous situation. Norway urges the parties to refrain from further violence and to lay the groundwork as soon as possible so that the road map for peace can be implemented. Efforts to implement an agreed Israeli withdrawal from Gaza must be given top priority.

The President (*spoke in French*): I call on the representative of Morocco.

Mr. Medrek (Morocco) (*spoke in Arabic*): Allow me at the outset to express to you, Mr. President, and to the other members of the Security Council our

appreciation for your immediate response to the request made by the Group of Arab States to hold an emergency Council meeting to discuss the dangerous situation prevailing in the occupied Palestinian territories as a result of the atrocious acts carried out by the Israeli occupation forces — acts that have escalated dangerously during the past few days.

I also wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. We express our confidence in your wisdom and in your ability to skilfully manage the Council's work. I avail myself of this opportunity also to thank your predecessor, the Permanent Representative of China, for his efforts during the past month.

The Security Council is meeting today against the backdrop of an extremely difficult situation in the occupied Palestinian territories, created by the Israeli occupation authorities' continued pursuit of their aggressive practices and their resort to systematic extrajudicial executions, targeting the political and national icons of the Palestinian resistance, thereby creating a situation that threatens the security of the whole region.

At a time when the international community was anticipating that the peace process would be resumed and put back on track, Israel assassinated Sheikh Ahmed Yassin, along with other Palestinian civilians. That atrocious act was strongly condemned by the international community. Immediately after this tragic event, His Majesty King Mohammed VI, Chairman of the Jerusalem Committee, sent a message to Mr. Yasser Arafat, President of the State of Palestine. His Majesty expressed his strong denunciation of this grave act of aggression that contravenes all divine principles, humanitarian values and international agreements.

The Kingdom of Morocco expresses its total rejection of the dangerous policies pursued by the Israeli Government in further escalating its military campaign against defenceless Palestinian civilians, forging ahead with its policy of systematic executions targeting the national and political icons of the Palestinian people, resorting to collective punishment and destroying the social and economic infrastructure of Palestine. We also condemn its attempt to build the separation wall in the occupied Palestinian territories. Morocco condemns all those practices, which are flagrant violations of resolutions of international legitimacy, the norms of international humanitarian law, including the Fourth Geneva Convention, and all human rights agreements and charters.

The international community has unequivocally condemned this latest assassination, branding it a violation of international law and international agreements. This has already been stated by Secretary-General Kofi Annan, who stressed that the assassination of Sheikh Yassin is illegal and that it not only is contrary to international law, but does not help the search for a peaceful solution to the Middle East problem.

The policy pursued by the current Israeli Government will only lead to a further deterioration of the situation and will definitely lead to the continuation of this cycle of violence and counter-violence, thereby causing more victims, threatening the stability and security of the whole region and eradicating any chance for peace.

The Kingdom of Morocco underscores its denunciation of all acts of violence that target innocent civilians, regardless of who the perpetrators are, because it believes that such operations will impede international efforts aimed at reviving the peace process.

The Kingdom of Morocco, under the leadership of His Majesty King Mohammed VI, is convinced of the need for peace and makes constant efforts to attain peace; it remains hopeful, despite the difficult circumstances, that it will be possible to end the violence in the region. It wishes to stress its conviction that strengthening peace and resuming negotiations constitute the only means of achieving a just and comprehensive peace in the Middle East through Israel's withdrawal from the occupied Palestinian territories and through the building of an independent Palestinian State, with holy Jerusalem as its capital, in accordance with relevant United Nations resolutions, particularly Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), and with the principle of land for peace.

The President (*spoke in French*): I call on the representative of Malaysia.

Mr. Mohd Radzi (Malaysia): Let me first thank you, Mr. President, for convening this open meeting to allow the larger membership of the United Nations to participate in this debate. This meeting is particularly

important, as Israel's assassination of the Palestinian spiritual leader of the Hamas group, Sheikh Ahmed Yassin, has outraged the international community and dampened the prospects for peace in the Middle East.

The extrajudicial killing of Sheikh Ahmed Yassin has sparked widespread international condemnation. The Secretary-General himself has strongly condemned the assassination. He shares the international community's sentiment that such an action could lead to further bloodshed and violence and to acts of revenge and retaliation. Reiterating that extrajudicial killings were against international law, he has urged Israel to immediately end that practice.

Malaysia strongly condemns that assassination and other blatant assassinations perpetrated by Israel against the Palestinian people. The assassination of Sheikh Ahmed Yassin was a despicable, provocative action and will only serve to worsen the situation and invite a greater cycle of violence. The international community and the Security Council must not stand idle in the face of that extrajudicial killing. The Council must take concrete action to prevent Israel from committing further criminal acts against the Palestinian people and to uphold respect for international law.

As the country holding the current chairmanship of the Non-Aligned Movement, Malaysia would like to draw the attention of the Council to the fact that the heads of State or Government of the Non-Aligned Movement, at their Summit meeting at Kuala Lumpur in February last year, expressed their deep concern about the tragic situation prevailing in the occupied Palestinian territory, including East Jerusalem. The leaders of the countries members of the Non-Aligned Movement strongly condemned the systematic human rights violations and reported war crimes that have been committed by the Israeli occupying forces against the Palestinian people. They condemned, in particular, the wilful killing by Israel of Palestinian civilians, including extrajudicial executions.

The Movement also condemned the wanton destruction of homes, infrastructure and agricultural lands, the detention and imprisonment of thousands of Palestinians and the imposition of collective punishment on the entire Palestinian population, including severe restrictions on the movement of persons and goods and prolonged curfews, resulting in socio-economic hardship for the Palestinian people, amounting to a dire humanitarian crisis.

Malaysia calls upon the international community, and the Security Council in particular, to urge Israel to stop carrying out air strikes against the Palestinian people, and seek a just, comprehensive and durable solution to the Palestinian question, including the implementation of the road map. Malaysia is committed to a peaceful settlement of the Palestinian-Israeli conflict and supports a two-State solution based on the 1967 line. We believe that peace in the Middle East can be achieved only through the realization of the inalienable rights of the Palestinian people, including their right to self-determination and national independence and the exercise of sovereignty in the State of Palestine, with East Jerusalem as its capital.

We believe that the Security Council has a responsibility to put a stop to Israel's heinous policies and practices, which dehumanize the Palestinian people and stand in the way of peace. The Council surely cannot simply stand helpless while Israel's unlawful occupation, domination and — now — assassinations of the Palestinian people continue unabated.

We therefore once again urge the Security Council to take clear and decisive action to condemn and to stop the extrajudicial executions carried out by Israel against the Palestinians, which have proved to be detrimental to efforts to achieve a peaceful solution in the Middle East.

The President (*spoke in French*): The next speaker is the representative of the Sudan, on whom I now call.

Mr. Manis (Sudan) (*spoke in French*): I am delighted, Mr. President, to see you, the representative of a friendly country, presiding over the work of the Council for this month. We would also like to thank your predecessor, the Permanent Representative of China, for having guided the work of the Council last month.

(*spoke in Arabic*)

As we meet today, the whole world awaits the Council's response to a senseless and flagrant act of terror — a heinous war crime perpetrated by the Israeli forces — that crosses every line and rides roughshod over international law. I refer to one of the most heinous crimes known to humanity: the assassination

of the martyr Sheikh Ahmed Yassin — one of the outstanding symbols of the Palestinian resistance.

Furthermore, Israel has shown no remorse, declaring publicly that it perpetrated that crime in a premeditated manner and that it was planned at the highest level of the Israeli Government, and has indicated that it intends to implement and carry out more crimes — led by Mr. Sharon, the hero of the Sabra and Shatila massacres.

Israel has done so in total defiance of the Council. But the Council must take a stance in keeping with its raison d'être — one that would restore its own credibility — before it can hope to restore to the Palestinian people a modicum of their rights to resist the occupier of their land.

Israel would not have dared commit such a heinous crime had it not been for the unjust and indecisive position of the Council, which has remained silent in the face of Israel's previous crimes. Israel has taken that as a green light to carry out further crimes. Needless to say, there is a vast number of Security Council and General Assembly resolutions that Israel has shown no inclination to implement.

What can we call the crime that was committed yesterday? It was simply one of the most heinous crimes of terrorism. How long can the Council remain silent and fail to take action with respect to a State that is one of the most heinous occupying Powers known to humankind — a Power that has carried out the most egregious terrorist crimes known to humanity?

We appeal to the international community, to international organizations, and in particular to the Security Council to put an end to this escalation by the occupation authorities, who have stifled every glimmer of hope for a return to the peace process by threatening to exile or kill President Arafat and by building the expansionist wall — despite the international community's condemnation. They then proceeded to carry out a series of assassinations of those who own the land — culminating in yesterday's crime.

Should not the Council start taking action? We are bored beyond belief. We have listened to one statement after another. Even the Security Council Chamber itself must be bored. The occupier is persisting in its defiance of the Security Council and its resolutions. Day after day, we hear reports of ever more serious crimes. The situation does not augur well for the future, with very little possibility of a return to the peace process — let alone the road map, which has been totally disrupted by the Israeli war machine.

We are here today to say that no policy of assassination has ever been known to destroy the will of a people to resist. The assassination of iconic political leaders will not stop the Palestinian people from trying to resist, let alone the Arab peoples — from the ocean to the Gulf — who are filled with rage. They are awaiting a decision of the Security Council, because the Council is entrusted with the maintenance of international peace and security and international law.

My delegation has warned against Israel's abuse of the international campaign against terrorism on the unfounded pretext that its actions all fall under the framework of the fight against terrorism. Is any terrorism more serious than that which is often seen on satellite television: the scenes of the carnage perpetrated by Israel against the defenceless Palestinian people?

Today, my delegation would like to stress that the events of yesterday represent a real danger to international peace and security and could inflame the region, which is already volatile. It is therefore up to the Council to do what is right by adopting the necessary measures to restore justice. Otherwise, injustice and escalation will continue, and it will be senseless to talk about resolutions and charters.

The President (*spoke in French*): Before concluding, I would like very warmly to thank speakers who addressed kind words to me on the occasion of France's presidency of the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 9.05 p.m.

United Nations S/PV.4930

Security Council

Fifty-ninth year

Provisional

4930th meeting

Wednesday, 24 March 2004, 10 a.m.

New York

President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	Germany	Mr. Pleuger
	Pakistan	Mr. Khalid
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Konuzin
	Spain	Ms. Menéndez
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

The situation between Iraq and Kuwait

Letter dated 18 March 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/225)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-28058 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 18 March 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/225)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 18 March 2004 from the Secretary-General addressed to the President of the Security Council, which is contained in document S/2004/225.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council welcomes the Secretary-General's letter dated 18 March and the exchange of letters with Dr. Bahr Al-Uloom, Interim President of the Iraqi Governing Council for the month of March 2004, and Ambassador L. Paul Bremer III, Administrator of the Coalition Provisional Authority.

"The Security Council also welcomes and strongly supports the Secretary-General's decision to dispatch to Iraq his Special Adviser, Mr. Lakhdar Brahimi, and his team, as well as an electoral assistance team, as soon as possible, in order to lend assistance and advice to the Iraqi people on the formation of an interim Iraqi Government to which sovereignty will be transferred on 30 June 2004, as well as on the preparations for direct elections to be held before the end of January 2005.

"The Security Council calls on all parties in Iraq to cooperate fully with these United Nations teams, and welcomes the security and other support provided to them by the Iraqi Governing Council and the Coalition Provisional Authority."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/6.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.

United Nations S/PV.4931

Security Council

Fifty-ninth year

Provisional

4931st meeting

Wednesday, 24 March 2004, 10.20 a.m.

New York

President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Dumitru
	Russian Federation	Mr. Konuzin
	Spain	Ms. Menéndez
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

The situation in Afghanistan

Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2004/230)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-28064 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2004/230)

The President (*spoke in French*): I should like to inform the Council that I have received a letter from the representative of Afghanistan, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Farhâdi (Afghanistan), took a seat at the Council table.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/230, which contains the report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

I now give the floor to Mr. Annabi.

Mr. Annabi: As you have just said, Sir, members of the Council have before them the latest report of the Secretary-General, which describes in some detail the recent developments in Afghanistan.

On 15 January, members of the Council received a comprehensive briefing from Mr. Lakhdar Brahimi on the adoption of the new Constitution — the most significant step of the Bonn political process completed during the reporting period. I will therefore not cover the same ground. What I intend to do, Sir, with your permission, is to use this opportunity to brief the Council in broad terms on the challenges that remain in implementing the Bonn Agreement, as well as the measures which will lead to the further transition of Afghanistan towards stability and effective governance.

After 26 months of steady progress in the implementation of the Bonn Agreement's political agenda, the process has now reached one of its last major benchmarks: the holding of free and fair elections. The purpose of these elections is to confer political legitimacy on the new Government. This legitimacy alone is not sufficient, however, and it is therefore essential that the processes of reconstruction and the building of State institutions accelerate. To equip the new Government with the tools essential for effective governance — viable, accountable and representative State institutions that can ensure security and establish a credible base for the development of the country — further progress is required in the implementation of security sector reform.

The ratification of the Constitution has helped focus attention on the last remaining political undertaking of the Bonn Agreement: the registration of voters and the holding of credible elections. The Constitution, by defining a system of government, also clarified the types of elections that will eventually have to take place. The Constitution requires elections for the presidency and for the upper and lower houses of the national assembly. The upper house — the Meshrano Jirga or House of Elders — raises some particularly difficult issues. Two thirds of the upper house delegates are to be elected from district and provincial councils. This means that district and provincial councils must be elected. Only then can there be elections from among the members of these councils to determine who the members of the upper house shall be.

The complexities of carrying out multi-level, simultaneous elections in Afghanistan's current circumstances are enormous. Not least of these complexities is the fact that credible population figures for all provinces are not yet available and a number of district boundaries remain under dispute. Nonetheless, the Constitution states that "every effort shall be made" to hold these elections simultaneously. Every effort is being made. Attention in Kabul is focused on this task and we hope that a decision will be made in the very near future on the timing and sequence of the elections. We are very hopeful that this can happen before the Berlin conference next week.

The lack of absolute clarity on this question today will no doubt be frustrating to some. In the early days of the United Nations Assistance Mission in Afghanistan (UNAMA), Mr. Brahimi used to caution this Council that Afghanistan needs to "make haste slowly". This paradox is especially true for elections. On the one hand, we understand the urgency of holding elections as close as possible to the Bonn time frame. On the other hand, holding elections is not, as Mr. Brahimi has also said many times, like making instant coffee. The conditions must be conducive and the preparations must be thorough for the effect of elections to be positive and for the elections themselves to be seen as free and fair.

Another paradox we have faced is the need to work closely with the Afghans while recognizing that there are few Afghans with electoral experience. The Afghan Government and UNAMA have addressed this by adopting a co-responsibility management model, which has been defined in a presidential decree issued on 18 February. This decree creates an Electoral Secretariat in which international electoral experts are paired with Afghan counterparts at the management level. This will allow Afghan capacity to be built as electoral activities are implemented.

At the implementation level, around 40,000 Afghans will be trained to manage 4,700 polling sites on election day, when the United Nations will verify the work of the registration and polling teams, which will be composed entirely of Afghans. The Electoral Secretariat will implement the instructions of the Joint Electoral Management Body, whose mandate was extended on 18 February to cover elections as well as registration. Members of the Council will recall that the JEMB is composed of six independent Afghan electoral commissioners and five international electoral experts.

Since its formation in July 2003, the Afghan commissioners have been working with the international experts and have acquired a great deal of knowledge about electoral systems and operations. The Joint Electoral Management Body will take the lead role in deciding, based on technical criteria, when elections will take place, and it will be responsible for the preparation, conduct and oversight of those elections.

In the meantime, the first phase of the registration process has progressed more or less on target. As indicated in the report, this phase, which covers the eight main cities in Afghanistan, will continue until early April. As of yesterday, 1.56 million voters out of an estimated 1.9 million eligible voters in those cities have registered. Of those, around 28 per cent are women. More detailed information is provided in the handout that I understand is being distributed to members of the Council.

What this information suggests, however, is that we are therefore well placed to complete the first phase of registration as planned, especially if we can increase the registration rate of women, which UNAMA is working to achieve. I should note that one of the positive trends in recent weeks has in fact been the constant increase in the overall participation of women, though it remains far lower than we would like, especially in the southern areas of the country.

At the same time, preparations are being made to launch the second phase of the registration process, when registration teams will deploy to provincial capitals, security conditions permitting. We hope to register the remaining estimated 8 million eligible voters during this second phase. That phase is scheduled to begin on 1 May and to continue at some 4,200 sites for approximately one month. It is anticipated that, as registration is extended to cover districts which are unsafe, special attention by domestic and international forces will be required, in close coordination with the Coalition forces.

As we have stressed and must continue to stress, success in completing the registration and in holding elections will depend on support from Afghan and international security forces. We welcome the deployment of additional provincial reconstruction teams, particularly in the south, as described in the

report. We welcome also President Karzai's request to NATO to provide additional security during the election period. UNAMA is currently holding discussions with NATO on these security issues and hopes to discuss them further at the Berlin conference next week.

Success will also depend on continued and timely donor support. I am pleased to say that the financial requirements for registration are almost fully pledged. Delays, however, in actually disbursing funds to the United Nations Development Programme trust fund continue to hinder and delay procurement, staffing and planning activities. It currently takes an average of two months from the time when funds are committed to the time when they can be disbursed by the project. We urge donors to work with us to speed up the disbursement process as well as to set aside additional funds for the other phases of the electoral process and the elections themselves.

Despite a number of obstacles, the electoral process is moving forward, albeit under very difficult conditions. The next phase of registration will demand, however, an enormous increase in logistics requirements. It will also face greater security risks and complex organizational requirements. In order to succeed, we will be counting on the support of all of our partners in this extremely important process.

Let me now turn to the issue of security. As the report highlights, extremist attacks on aid agencies and on government officials continue to occur, predominately in the southern provinces, but also, in some cases, against International Security Assistance Force (ISAF) troops in Kabul itself. Factional feuds, rivalries and, increasingly, drug-related incidents continue to affect the lives of the population. The report notes that factional fighting has broken out in the north-east, which has traditionally been one of the safest regions of the country.

Unfortunately, recent events suggest that even areas that most observers believe are stable and safe are not immune to security problems. As members of the Council are surely aware, fierce fighting erupted in Herat on 21 March between factional forces loyal to the Provincial Governor, Ismael Khan, and troops loyal to the government-appointed commander, General Zahir. According to preliminary reports, the fighting, which has its origins in long-standing tensions between the two leaders, was ignited by a traffic accident involving some of their respective supporters.

The traffic accident was apparently interpreted as an attempt to assassinate the Governor. That interpretation, or rumour, if you like — which was false, as far as we can tell — reached the Governor's son, Mirwais Siddiq, who was the Minister for Aviation and Tourism, who then sought to use his vehicle to forcibly enter the General's residential compound. The General's guards fired at the vehicle, sparking an exchange of gunfire in which the Minister, together with Herat's head of police intelligence and the head of the counter-narcotics department, were killed. The Governor's forces then mobilized, deploying heavy weapons and firing artillery and tank- and rocket-propelled grenade rounds during a battle that lasted over six hours and which resulted in the occupation of General's Zahir's military headquarters by Governor Ismael Khan's forces. Casualty estimates vary greatly, from 20 to 100. A government delegation and additional Afghan National Army troops have been deployed to Herat. The situation is now reported to be calm, but it remains very tense.

As members of the Council will recall from their visit to the province last year, notwithstanding the Governor's de facto independence from Kabul and troublesome reports regarding human rights and the treatment of women, Herat was considered to be one of the most stable areas in Afghanistan. Indeed, the province has one of the highest voter registration rates, including female registration of some 36.8 per cent, compared to a national average so far of 28 per cent. This demonstrates that, even in an area like Herat, considered to be conducive to electoral activities, the security problem cannot be discounted.

In fact, the fighting in Herat, as well as the recent factional fighting in the north, strongly indicates that security remains an unsolved problem. In particular, more progress in the implementation of security sector reform is now required. This must include further substantive reform of the Ministries of Defence and of the Interior as well as the National Security Directorate. It must also see the implantation of a more vigorous disarmament, demobilization and reintegration (DDR) programme than the Ministry of Defence has so far been willing to commit itself to.

UNAMA has advocated that 100 per cent of heavy weapons should be cantoned and that 40 per cent

of Afghan militia forces be demobilized before elections proceed. Without significant demilitarization, genuine political choice, as required for a credible election, is simply impossible, and events such as those in Herat are likely to recur. However, the leadership of the affected militia will need to be convinced that the drawdown of their forces will not create an opening for their rivals. The newly created national forces that are being trained by the United States with the support of France do not yet have the necessary capacity to provide such assurances. Accordingly, the presence of international forces, including provincial reconstruction teams, remains indispensable to allay the concerns of factional leaders and to allow the DDR process to move forward.

At the same time, that presence will provide an environment in which the Afghan security forces can build capacity. That, in turn, will provide a clearer, earlier, exit strategy for the international forces. The international community, particularly NATO/ISAF and the Afghan Government, will need to work hard together towards this objective.

Past efforts to expand government authority to the provinces, including the appointment by Kabul of senior civil servants, have been hampered by the insufficient number of trained and well-equipped police. At present, a total of 4,339 officers have received training. With the additional programmes recently initiated by the German police project and United States training programmes, there should be an additional 20,000 trained officers by June this year. Given the limited number of international police trainers, we encourage the provincial reconstruction teams to consider engaging in post-deployment mentoring in support of the Ministry of the Interior.

Many members of the international community have contributed to strengthening the system of law and order through their contributions to the Law and Order Trust Fund. Almost all of the stated financial requirements were met last year. We hope that that commitment and generosity will continue this year.

At the Tokyo donor conference held in December 2001, contributions from Member States for reconstruction were solicited on the basis of a preliminary assessment of immediate and short-term reconstruction needs. Since its establishment on 19 June 2002, the Transitional Administration has progressively taken over from the United Nations the leadership and ownership of the coordination of reconstruction priorities. That is a process that we welcome, and we fully endorse the use of Afghanistan's national budget as a mechanism for coordinating assistance and reconstruction.

Looking towards the future, we are concerned — and this concern is shared by the Afghan Government — that the impact of Afghanistan's economic growth during the past two years, estimated at 30 per cent for 2002 and 20 per cent for last year, has largely been felt in the urban centres alone. This has prompted a demographic shift from rural areas to the cities, exacerbating social tensions in urban centres. In response, assistance policy has shifted from humanitarian assistance towards broader, long-term social protection programmes, so as to prepare the ground for sustained economic recovery while maintaining a safety net for the poorest and most vulnerable.

Taking into account those emerging trends, which help define long-term needs, the Government has undertaken a comprehensive analytical exercise to determine the cost of meeting its long-term recovery and reconstruction targets, including the security sector, which was not included at the Tokyo conference. The report entitled "Securing Afghanistan's Future", prepared by the Government in close consultation with its international partners, promotes a policy of broad-based economic growth that is ethnically and regionally balanced, in order to reinforce national reconciliation and peaceful political development. The exercise determined that public investment of $28.5 billion over seven years will be required for the Afghan economy to become financially viable.

However, the report recognizes that the economy will continue to be plagued by the lucrative illegal drug economy and related disputes over land ownership. The scale and continuing proliferation of the production of and trafficking in illegal narcotics has been reported by the United Nations Office on Drugs and Crime in a recent survey. The survey suggests that the drug economy and the instability that it promotes remains perhaps the greatest threat to the development of a stable functioning State.

The Government's recent implementation of a robust strategy to combat narcotics, with the support of the United Kingdom as lead nation and of the coalition

forces, is encouraging. But the task, we have to say, is enormous and requires the implementation of a comprehensive policy of interdiction by Afghanistan as well as by transit and recipient States, alongside alternative livelihood options for farmers.

In conclusion, I have tried to highlight a few of the major issues that the international community will be facing in the year ahead. Many of these — and other issues, such as human rights in particular — are addressed in more detail in the Secretary-General's report. Many of these issues will also be part of the agenda at the international conference on Afghanistan's future that will take place next week in Berlin. There will be opportunity at Berlin to examine the way ahead, as well as the difficulties that Afghanistan and the international community face in fulfilling the letter and spirit of the Bonn Agreement.

Nonetheless, if we look back for a moment, we can see that the distance that has been travelled is encouraging. The United Nations remains determined to fulfil its Bonn Agreement commitments, and accordingly the Secretary-General recommends in his report that the mandate of UNAMA be extended for an additional 12 months. We hope that the Council will endorse that recommendation. We also hope that it will extend to the new Special Representative of the Secretary-General, Mr. Jean Arnault, the same strong support that it always extended to his predecessor, Mr. Lakhdar Brahimi.

The President (*spoke in French*): I thank Mr. Annabi for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.50 a.m.